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AN EXACT

Abridgment

Of all the

STATUTES

Rec. June 4, 1902.

of the State of Ohio from
the Beginning of the State Year of
1788 to 1902.

TO THE
R E A D E R.

THE following Sheets contain an Abridgment of the Statutes pass'd in the first five Tears of his present Majesty; the Abridger whereof having vary'd somewhat in Method from the Gentlemen who wrote the former Abridgments, thinks himself oblig'd to give his Reasons for that Variation.

In the first Place having observed that there was often a Necessity of resorting from the Abridgments to the Statutes at large, and that it was very troublesome, especially in Statutes of any Length, and took up too much Time, to find what he sought for, for Want of being directed to the very Section or Clause in the Act, he has, to obviate this Inconveniency, immediately after the Numerals, which number the Paragraphs under each Head in the Abridgment, inserted the Number of the Sections as printed in the Statutes at large; and has carefully avoided to abridge two or three Clauses of any Act in one Paragraph, as the other Abridgers, (particularly Mr. Nelson) have frequently done, as they have, on the Contrary, sometimes divided one Section in the Act into two or three Paragraphs in their Abridgments.

2. The Abridger of these Statutes has often divided the Acts into several Parts, and put them under Heads to which each Part properly belongs: A Method
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TO the READER.

generally observed by Mr. Wingate, but not follow'd by the Gentlemen that abridg'd after him, who, for Reasons best known to themselves, under what Head soever they begun the Abridgment of any Act, have for the most Part continued it under the same Head to the very End, without Regard to the Subject Matter of it being entirely changed. This has occasion'd some of their Heads to be so very long, that they might be bound up in Volumes by themselves, witness Customs, Taxes, &c. under which last Head Mr. Washington has put the Lottery-Act 5 & 6 W. & M. c. 7. the Act upon Tonnage, &c. for establishing the Bank of England, 5 & 6 W. & M. c. 20. and the Act 5 & 6 W. & M. c. 21. for the Stamps on Vellom, Parchment, &c. and many others of the like Nature; which nevertheless few Readers would look for there.

3. The many Acts that have passed since his Majesty's Accession, relating to Scotland, have render'd that Head the longest of any in this Volume: And here too this Abridgment has departed from the Method of the former, where the several Acts are placed according to the Years in which they passed, without any Regard to their Connexion or Dependency one on the other: On the Contrary, this Abridgment not regarding the Year when the Acts were passed, has subdivided the Head Scotland into another Alphabet, and placed the Acts under other Heads, proper to the Matters contained in them: Thus in this Sub-Alphabet, if it may be so called, under the Head Equivalent, the Reader will find abridg'd all the several Acts relating to the Equivalent, that pass'd during the first five Years of his present Majesty.

THE

James Aikin's

TABLE

Of all the

Publick Statutes,

FROM THE

End of the Reign of Queen *Anne*, to the Beginning of the Sixth Year of King *George*: With the Heads under which they are placed, in the following ABRIDGMENT. Together with the TITLES of the PRIVATE ACTS.

Publick Acts.

Anno 1 *Georgii*, Stat. 1.

1. **A**N ACT for the better Support of his Majesty's Household, and of the Honour and Dignity of the Crown of Great Britain. *Excise*, Par. I. *Pretender*, Par. I.
2. An ACT for rectifying Mistakes in the Names of the Commissioners for the Land-Tax for the Year 1714; and for raising so much as is wanting to make up the Sum of Fourteen hundred thousand Pounds, intended to be raised by a Lottery for the Publick Service in the said Year. *Lotteries*, Par. I. *Taxes*, Par. 1.

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The Titles of the Statutes.

3. An Act to enable Persons now residing in *Great Britain*, to take the Oaths, and do all other Acts in *Great Britain*, requisite to qualify themselves to continue their respective Places, Offices and Employments in *Ireland*. *Oaths*, Par. I.

Publick Acts.

Anno 1 Georgii.

1. **A**N Act for granting an Aid to his Majesty, to be raised by a Land-Tax in *Great Britain*, for the Service of the Year 1715. *Taxes*, Par. 1.
2. An Act for charging and continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1715; and for making forth Duplicates of Exchequer-Bills, and Lottery-Tickers, lost, burnt, or destroyed; and for enlarging the Time for adjusting Claims in several Lotteries; and for making forth new Orders in lieu of certain Lottery-Orders obliterated or defective; and for continuing certain Duties on Hops, until the first Day of *August*, 1715. *Excise*, Par. VIII. *Hops*, Par. I. *Lotteries*, Par. V. *Taxes*, Par. III.
3. An Act for the better regulating the Forces to be continued in his Majesty's Service, and for the Payment of the said Forces, and of their Quarters. *Soldiers*, Par. I.
4. An Act to explain the Act made in the twelfth Year of the Reign of King *William* the Third, Intituled, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subject*. *Naturalization*, Par. I.
5. An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectual punishing Rioters. *Riot*, Par. I.
6. An Act for making perpetual an Act of the seventh and eighth Years of the Reign of his late Majesty King *William* the Third, Intituled, *An Act that the solemn Affirmation and Declaration of the People called Quakers, shall be accepted instead of an Oath in the usual Form*; and for explaining and enforcing the said Act in relation to the Payment of Tithes and Church-Rates; and for appointing the Form of an Affirmation to be taken by the said People called *Quakers*, instead of the Oath of Abjuration. *Quakers*, Par. I.
7. An Act for continuing the Imprisonment of *Robert Blackburn*, and others, for the horrid Conspiracy to assassinate the Person of his late sacred Majesty King *William* the Third. *Imprisonment*, Par. I.

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8. An Act to impower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government. *Government, Par. I.*
9. An Act for the better preventing Mutiny and Desertion, by Enforcing and making more effectual an Act of this present Parliament, intituled, *An Act for the better regulating the Forces to be continued in his Majesty's Service, and for the Payment of the said Forces and their Quarters.* *Soldiers, Par. I.*
10. An Act for making more effectual her late Majesty's gracious Intention for augmenting the Maintenance of the poor Clergy. *Clergy, Par. I.*
11. An Act to restrain all Waggoners, Carriers, and others, from drawing any Carriage with more than five Horses in Length. *Highways, Par. I.*
12. An Act for enlarging the Fund of the Governor and Company of the Bank of *England*, relating to Exchequer-Bills; and for settling an additional Revenue of One hundred and twenty thousand Pounds *per Annum* upon his Majesty during his Life, for the Service of the Civil Government; and for establishing a certain Fund of Fifty-four thousand six hundred Pounds *per Annum*, in order to raise a Sum not exceeding Nine hundred and ten thousand Pounds for the Service of the Publick, by Sale of Annuities, after the Rate of Six Pounds *per Centum per Annum*, redeemable by Parliament; and for satisfying an Arrear for Work and Materials at *Blenheim*, incurred whilst that Building was carried on at the Expence of her late Majesty Queen *Anne*, of Blessed Memory; and for other Purposes therein mentioned. *Bank of England, Par. I. Blenheim-house, Par. I. Hops, Par. II.*
13. An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess *Sophia*, being Protestants; and for extinguishing the Hopes of the pretended Prince of *Wales*, and his open and secret Abettors. *Daths, Par. III. Pretender, Par. II.*
14. An Act for making the Militia of that Part of *Great Britain* called *England* more useful; and for obliging an annual Account to be made of Trophy-Money. *Militia, Par. I.*
15. An Act to make an Act of the tenth Year of her late Majesty, intituled, *An Act for regulating, improving, and encouraging of the Woollen Manufacture of min'd or medley Broad-Cloth, and for the better Payment of the Poor employed therein*, more effectual for the Benefit of Trade in general; and also to render more effectual an Act of the seventh Year of her said Majesty's Reign, intituled, *An Act for the better ascertaining the Lengths and Breadths of Woollen-Cloth made in the County of York.* *Drapery, Par. I.*

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16. An Act for the Attainder of Henry Viscount Bolingbroke of High Treason, unless he shall render himself to Justice by a Day certain therein mentioned. Attainder, Par. I.
17. An Act for the Attainder of James Duke of Ormonde of High Treason, unless he shall render himself to Justice by a Day certain therein mentioned. Attainder, Par. II.
18. An Act for the better preventing fresh Fish taken by Foreigners being imported into this Kingdom; and for the Preservation of the Fry of Fish; and for the giving Leave to import Lobsters and Turbets in foreign Bottoms; and for the better Preservation of Salmon within several Rivers in that Part of this Kingdom called *England*. Fish and Fishery, Par. I.
19. An Act for raising Nine hundred and ten thousand Pounds for Publick Services, by Sale of Annuities, after the Rate of Five Pounds *per Centum per Annum*, redeemable by Parliament; and to authorize a Treaty concerning private Rights claimed by the Proprietors of the Sugar-houses in *Scotland*. Annuities, Par. I. *Scotland*, Par. CXVIII.
20. An Act for encouraging all Superiors, Vassals, Landlords, and Tenants in *Scotland*, who do and shall continue in their Duty and Loyalty to his Majesty King George; and for discouraging all Superiors, Vassals, Landlords, and Tenants there, who have been or shall be guilty of rebellious Practices against his said Majesty; and for making void all fraudulent Entails, Tailzies, and Conveyances made there, for barring or excluding the Effect of Forfeitures that may have been, or shall be incurred there on any such Account; as also for calling any suspected Person or Persons, whose Estates or principal Residence are in *Scotland*, to appear at *Edinburgh*, or where it shall be judged expedient, to find Bail for their Good Behaviour; and for the better disarming dissaffected Persons in *Scotland*. *Scotland*, Par. CV. and CXIX.
21. An Act for enlarging the Capital Stock and yearly Fund of the *South-Sea Company*, and for Supplying thereby Eight hundred twenty-two thousand thirty-two Pounds, Four Shillings and Eight Pence, to publick Uses; and for raising One hundred sixty-nine thousand Pounds for the like Uses, by Sale of Annuities upon divers Encouragements therein mentioned; and for appropriating several Supplies granted to his Majesty. Annuities, Par. XX. *South-Sea Company*, Par. I. Taxes, Par. VI.
22. An Act for enabling his Majesty to settle a Revenue for supporting the Dignity of her Royal Highness the Princess, in case she shall survive his Royal Highness the Prince of *Wales*. King, Par. I.

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23. An Act for making Provision for the Ministers of the Fifty New Churches, which are to be built in and about the Cities of *London* and *Westminster*, and Suburbs thereof; and for rebuilding and finishing the Parish-Church of *Saint Mary Woolnoth* in the said City of *London*. Churches, Par. I.
24. An Act for appointing Commissioners to take, examine, and state the Debts due to the Army. Accounts, Par. I.
25. An Act to prevent Disturbances by Seamen, and others; and to preserve the Stores belonging to his Majesty's Navy Royal; and also for explaining an Act for the better preventing the Imbezilment of his Majesty's Stores of War; and preventing Cheats, Frauds, and Abuses in paying Seamen's Wages; and for reviving and continuing an Act for the more effectual suppressing of Piracy. Naval Stores, Par. I. Piracy, Par. I. Seamen, Par. I.
26. An Act for continuing several Laws therein mentioned, relating to Coals, Hemp, and Flax, *Irish* and *Scotch* Linen, and the Allize of Bread; and for giving Power to adjourn the Quarter-Sessions for the County of *Anglesea*, for the Purposes therein mentioned. *Anglesea*, Par. I. Bread, Par. I. Coals, Par. I. Linen-Cloth, Par. I. Tithes, Par. I.
27. An Act for taking and stating the Debts due and growing due to *Scotland* by Way of Equivalent in the Terms of the Union; and for Relief of the Creditors of the Publick in *Scotland*, and the Commissioners of the Equivalent. *Scotland*, Par. XXXV.
28. An Act for repealing an Act, intituled, *An Act for repealing Part of an Act passed in the Parliament of Scotland, intituled, An Act for discharging the Yule-Vacance*. *Scotland*, Par. CXXX.
29. An Act for allowing a Time for Two hundred and thirteen Families of Protestant *Palatines*, now settled in *Ireland*, to take the Oaths, in order to entitle them to all the Benefits intended them by the Act of the Seventh Year of Her late Majesty's Reign, for naturalizing foreign Protestants. Naturalization, Par. III.
30. An Act for continuing an Act of this present Session of Parliament, intituled, *An Act to empower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government*. Government, Par. II.
31. An Act for granting an Aid to his Majesty by a Land-Tax in *Great Britain*, for the Service of the Year 1716. Taxes, Par. VIII.
32. An Act to attaint *John* Earl of *Mar*, *William Murray* Esq; commonly called Marquess of *Tullibardine*, *James* Earl of *Lisibgow*, and *James Drummond* Esq; commonly called Lord *Drummond*, of High Treason. Attainder, Par. III.

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33. An Act for the more easy and speedy Trial of such Persons as have levied or shall levy War against his Majesty. *Treason, &c.* Par. I.
34. An Act for preventing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. *Soldiers, Par. LXII.*
35. An Act to appoint a Commissioner for taking, examining, and stating the Debts due to the Army, in the Room of *Thomas Smith Esq;* deceased; and for continuing the former Act until the tenth Day of *March, 1716.* *Accounts, Par. XIII.*
36. An Act for charging and continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1716; and for compelling several Receivers to finish and clear their Accounts; and for making Duplicates of Exchequer-Bills, Lottery-Tickets, and Orders, lost, burnt, or destroyed; and for enlarging the Time for adjusting Claims to certain Benefit-Tickets; and for allowing the Charge of executing the Lottery-Act, for the Service of the Year 1710; and for recovering Monies of several Land-Taxes, resting in the Hands of Collectors or Constables at *St. Albans*; and for preventing Frauds in the Duties on Sope; and for limiting a Time for Persons who have certain Annuities for Life or Lives, to demand the Payments thereupon at the Exchequer; and for preventing Frauds in the Duties relating to printed and painted Paper, Callicoes, and other Things therein mentioned. *Annuities, Par. XXIII. Excise, Par. XX. Lotteries, Par. IX. Sope, Par. I. Taxes, Par. X.*
37. An Act to enable his Majesty to grant the Regalities and Lands now remaining in the Crown in *North-Wales* and *South-Wales*, and County of *Chester*, to his Royal Highness the Prince of *Wales*, in such Manner and Form as the Principality of *Wales* and Earldom of *Chester* have formerly been granted to the Princes of *Wales*; and also to enable his said Royal Highness to make Leases of Lands, Parcel of his Royal Highness's Duchy of *Cornwall*, or annexed to the same. *Cornwal, Par. I. King, Par. XI.*
38. An Act for enlarging the Time of Continuance of Parliaments, appointed by an Act made in the Sixth Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the frequent Meeting and Calling of Parliaments.* *Parliament, Par. I.*
39. An Act to indemnify such Persons who have acted in Defence of his Majesty's Person and Government, and for the Preservation of the publick Peace of this Kingdom, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Prosecutions. *Suits, Par. I.*

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40. An Act for the free Importation of Cochineal, during the Time therein limited. *Cochineal, Par. I.*
41. An Act for giving Liberty to Persons who have served their Apprenticeships to any Part of the Woollen-Manufacture in *Colchester*, to work at their said Trades, and at the making Bays within the said Town. *Drapery, Par. XVII.*
42. An Act for the Attainder of *George Earl of Marischall, William Earl of Seaforth, James Earl of Southesk, James Earl of Panmure*, and others, of High Treason, unless they shall render themselves to Justice by a Day certain therein mentioned. *Attainder, Par. IV.*
43. An Act to continue Duties for encouraging the Coinage of Money; and to charge the Duties on Senna as a medicinal Drug; and for the appropriating several Supplies granted to his Majesty. *Coinage, Par. I. Senna, Par. I. Taxes, Par. XIX.*
44. An Act for the continuing the Duty of Two Pennies *Scott*, or one Sixth of a Penny Sterling, on every Pint of Ale and Beer that shall be vended or sold within the City of *Glasgow* and Privileges thereof, for the Benefit of the said City. *Scotland, Par. LXX.*
45. An Act for holding the Assize for the County of *Cornwal*, at a convenient Place within the said County. *Cornwal, Par. V.*
46. An Act to prevent the Mischiefs by manufacturing Leaves or other Things to resemble Tobacco, and the Abuses in making and mixing of Snuff. *Tobacco, Par. I.*
47. An Act for the more effectual and exemplary Punishment of such Persons as shall seduce Soldiers to desert, or who, being Papists, shall enlist themselves in his Majesty's Service in *Great Britain or Ireland*, or in the Islands of *Jersey or Guernsey*. *Soldiers, Par. LXXIII.*
48. An Act to encourage the Planting of Timber-Trees, Fruit-Trees, and other Trees, for Ornament, Shelter, or Profit; and for the better Preservation of the same; and for the preventing the Burning of Woods. *Trees, Par. I.*
49. An Act to revive and continue an Act of the eighth and ninth Years of the Reign of his late Majesty King *William*, for Repair of the Piers of *Bridlington* alias *Burlington* in the East-Riding of the County of *York*. *Habens, Par. I.*
50. An Act for appointing Commissioners to enquire of the Estates of certain Traitors, and of Popish Recusants, and of Estates given to superstitious Uses, in Order to raise Money out of them severally for the Use of the Publick. *Treason, &c. Par. IV.*
51. An Act for repealing so much of the Act of the twelfth and thirteenth Years of the Reign of King *William* the Third, intituled, *An Act for the further Limitation of the Crown,*

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Crown, and better securing the Rights and Liberties of the Subject, as enacts, That no Person who should come to the Possession of the Crown, shall go out of the Dominions of England, Scotland or Ireland, without Consent of Parliament. King, Par. XVIII.

52. An Act for making the Laws for repairing the Highways more effectual. *Highways, Par. III.*
53. An Act for the Attainder of *Thomas Forster junior, Esq; and William Mackintosh Esq;* (commonly called Brigadier Mackintosh) of High Treason. *Attainder, Par. V.*
54. An Act for the more effectual securing the Peace of the Highlands in *Scotland. Scotland, Par. LXXIII.*
55. An Act to oblige Papists to register their Names and real Estates. *Papists, Par. I.*
56. An Act to disable any Person from being chose a Member of, or from sitting and voting in the House of Commons, who has any Pension for any Number of Years from the Crown. *Parliament, Par. II.*
57. An Act for better regulating Hackney-Coaches, Carts, Drays, Carrs, and Waggons, within the Cities of *London and Westminster*, and the Weekly Bills of Mortality; and for preventing Mischiefs occasioned by the Drivers riding upon such Carts, Drays, Carrs, and Waggons. *Coaches, &c. Par. I.*

Private Acts.

1. **A**N Act to empower the Barons of the Court of Exchequer in *Ireland*, to grant a Commission to some Persons in *England*, to administer to *Henry Temple Esq; and Luke King Gentlemen*, the usual Oaths for the due Execution of their Office of Remembrancer of the Court of Exchequer in *Ireland*.
2. An Act to empower the Barons of the Court of Exchequer in *Ireland*, to grant a Commission to some of the Barons of the Court of Exchequer in *England*, to administer to *Thomas Hopkins Esq;* the usual Oaths for the due Execution of the Office or Offices of Searcher, Packer, and Gauger in the Port of *Dublin*.
3. An Act for settling the Precedency of *Robert Marquis of Lindsey*, Great Chamberlain of *England*, when created a Duke of *Great Britain*, and of such as shall succeed to the said Honour.
4. An Act for appointing Persons to take Care of the Person and Estate of *John Digby Esq;* eldest Son and Heir apparent of *William Lord Digby* in the Kingdom of *Ireland*.

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1. An Act for vesting in the Warden and College of *All Souls* in *Oxford*, and their Successors, certain Houses and Ground belonging to the Parish of *Saint Mary* in *Oxford*.
2. An Act to empower the Barons of the Court of Exchequer in *Ireland*, to grant a Commission to some Persons in *Great Britain*, to administer to *Henry Temple* Esq; the usual Oaths for due Execution of the Office of Chief Remembrancer of the Court of Exchequer in *Ireland*.
3. An Act for Sale of Part of the Estate late of *William Betts*, Gentleman, deceased, for discharging Incumbrances thereupon; and for making good a Settlement by him made of other Part of his Estate.
4. An Act to enable Trustees to grant Leases of Part of the Lands devised by the Last Will and Testament of *Thomas Trenchard* Esq; deceased.
5. An Act for relieving *William Petersen* Esq; out of the Equivallent-Money for what is due to him.
6. An Act to naturalize *Florian Goehell*, Merchant.
7. An Act for naturalizing *Herman Meyer*.
8. An Act for repairing the Highways through the several Parishes of *St. Michael*, *St. Albans*, *St. Peter*, *Shenley Ridge*, and *South Mims*, in the Counties of *Hertford* and *Middlesex*.
9. An Act for confirming the Sale of the Reversion of the Manor of *Darrington*, by *George Earl of Cardigan*, to *Theophilus Shelton* Esq; and his Heirs.
10. An Act for vesting in Trustees Part of the Estate of *Nicholas Fry* Esq; deceased, for Payment of his Debts.
11. An Act to enable the Right Honourable *Henry Earl of Rochester*, and *William Lord Viscount Mountjoy* in the Kingdom of *Ireland*, to take the Oaths of Office for their respective Offices in the said Kingdom of *Ireland*, and to qualify themselves in *England* for the legal Enjoyment of their said Offices.
12. An Act for explaining an Act made in the Ninth Year of the Reign of King *William* the Third, intituled, *An Act for vesting Part of the Estate of Thomas Panton* Esq; in Trustees, to be sold for Payment of Debts, and securing a Jointure to *Mary* his now Wife; and for other Purposes therein mentioned.
13. An Act for vesting certain Manors and Lands in the Counties of *Devon* and *Kent*, the Estate of *Sir William Courtenay* Baronet, in Trustees, and their Heirs, to be sold, and with the Money arising thereby to purchase other Lands in the County of *Devon*, contiguous to the Seat of his Family, to be settled to the same Uses.
14. An Act to enable *Sir Richard Wynche* Baronet, and *Humphry Wynche* Esq; only Son and Heir apparent of the said *Sir Richard Wynche*, to settle a Jointure upon such Woman as the said *Humphry Wynche* shall marry.

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19. An Act to enable *George Henage* Esq; to sell the Rectory of *North-Willingham*, in the County of *Lincoln*, and some Lands there, and for settling Rent-Charges of greater Value in lieu thereof, and for other Purposes therein mentioned.
20. An Act to enable *Richard Lee* an Infant, with the Consent of Trustees, to grant Leases of some Part of his Estate, notwithstanding his Minority.
21. An Act for Building and endowing a Church upon the Scite of the Castle of *Liverpoole*, held by Lease from the Dutchy of *Lancaster*; and for the explaining a former Act for the Building another Church there.
22. An Act for vesting the Estate late of *John Tanner* Esq; deceased, in Trustees to be sold for Payment of his Debts.
23. An Act for confirming a Sale already made to *Edmund Dummer* Gentleman, of some Part, and for vesting other Part of the Estate of *John Bromfield* Esq; in the County of *Southampton*, comprized in the Articles made upon his Marriage with *Anne* his Wife, in Trustees, to be sold for the Payment of his Debts; and for settling the remaining Part thereof, as near as may be, to the Intent of the said Articles; and for making thereby, and by other Means in the Act mentioned, some Provision for the said *John Bromfield* and *Anne* his Wife, and their Issue.
24. An Act to make the River *Kennet* navigable from *Reading* to *Newbury* in the County of *Berks*.
25. An Act for repairing and amending the Highways between *Tyburn* and *Uxbridge*, in the County of *Middlesex*.
26. An Act to enable *Richard* Lord Viscount *Ross* of the Kingdom of *Ireland*, notwithstanding his Nonage, to settle a Jointure on *Mary* Viscountess *Ross* his Wife, and make a Settlement on his Issue male, with Provision for younger Children, and for other Purposes therein mentioned.
27. An Act for the Relief of *Anne Milner*, *Thomas Colmore*, *Williams Hunt*, *William Parrott*, and others, as to Customs of Goods, burnt or destroyed by the late Fire in *Thames-street*, *London*.
28. An Act to enable Sir *Hungerford Hoskyns* Baronet, to raise Monies to discharge his Brothers and Sisters Portions, and to settle a Jointure on a Wife.
29. An Act to enable *Robert Cope* Esq; to settle an additional Jointure out of his Estate on *Elizabeth* his now Wife; and also to raise Portions and Maintenances for his Daughters and younger Children by her, and to enable those in Remainder to do the same.
30. An Act for Sale of Part of the Manor of *Low-Laiton*, in the County of *Essex* and other Lands there; and for laying out the Money arising thereby in the Purchase of other Lands

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- Lands in the County of *Lincoln*, to be settled to the same Uses as the said Part of the Manor of *Low-Laiton* is settled.
31. An Act to naturalize *Frederica Countess of Holderness, Peter Gravier, Theodore Boucher, and Francis Masson.*
 32. An Act to naturalize *Robert de Uliger, George Christian Lunders, and others.*
 33. An Act for naturalizing *Henry Cornelisen.*
 34. An Act for vesting the Honour and Estate of *John Duke of Athol* in *James Murray Esq;* commonly called *Lord James Murray*, after the Death of the said Duke.
 35. An Act for the Naturalization of *Frederick Guliker.*
 36. An Act for naturalizing *Gerard Roeters.*
 37. An Act for continuing and making more effectual an Act passed in the twelfth Year of her late Majesty's Reign, intituled, *An Act for repairing the Highway or Road from the Stone-end in the Parish of St. Leonard Shoreditch, in the County of Middlesex, to the farthermost Part of the Northern Road in the Parish of Endfield, in the same County, next to the Parish of Cheshunt, in the County of Hertford.*
 38. An Act to enable his Royal Highness *George Prince of Wales*, to qualify himself in *Great Britain* for the legal Enjoyment of the Office of Chancellor of the University of *Dublin*, in the Kingdom of *Ireland.*
 39. An Act to enable *Charles Earl of Sunderland, and Henry Earl of Rochester*, to take in *Great Britain* the Oath of Office as Vice-Treasurer and Receiver General, and Paymaster General of all his Majesty's Revenues in the Kingdom of *Ireland*, and to qualify themselves for the Enjoyment of the said Office.
 40. An Act to enable *Richard Earl of Burlington and Cork* to take in *England* the Oath of Office of High Treasurer of *Ireland*, and to qualify himself here in *England* for the legal Enjoyment of the said Office.
 41. An Act for vesting several Manors, Messuages, Lands, and Hereditaments late of *Charles Earl of Dorset and Middlesex*, whereof *James*, late Duke of *Ormond*, at the Time of his Attainder, was seized, as surviving Trustees named in the Will of the said Earl, in new Trustees, and their Heirs, upon the same Trusts.
 42. An Act for explaining and making more effectual an Act passed in the twelfth Year of the Reign of her late Majesty Queen *Anne*, intituled, *An Act for making the Chapelry of Stockton, in the County of Durham, a distinct Parish.*
 43. An Act for naturalizing *Casper White.*
 44. An Act for the more effectual reversing and making void the Attainder of *Charles Earl of Macclesfield* deceased.

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45. An Act to discharge Sir *Alexander Rigby* Knight, from his Imprisonment, and vest his Estate and Effects in Trustees, for the Benefit of his Creditors.
46. An Act for vesting certain Lands and Tenements of *Peter Sunderland* Esq; in Trustees, to be sold for Payment of Debts charged thereon, before the making of his Marriage-Settlement, and by Virtue thereof.
47. An Act to enable *Thomas Proffor* of *Rock*, in the County of *Northumberland* Esq; to raise the Sum of Four thousand Pounds out of his Estate, for Payment of his Debts, and making Provision for his younger Children.
48. An Act for naturalizing *Erengard Melosine*, Baroness of *Schulenburg*.

Publick Acts.

Anno 3 Georgii.

1. **A**N Act to enable his Majesty effectually to prohibit or restrain Commerce with *Sweden*. Trade and Commerce, Par. I.
2. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Soldiers, Par. LXXVI.
3. An Act for granting an Aid to his Majesty, by a Land-Tax in *Great Britain*, for the Service of the Year 1717. Taxes, Par. XXIV.
4. An Act for continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1717; and to authorize Allowances to be made to certain Receivers; and to obviate a Doubt concerning Goods imported from the Islands of *Jersey*, *Guernsey*, *Sark*, and *Alderney*; and to ascertain the Duties upon Sheep-skins and Lamb-skins; and to prevent Frauds in the Duties upon Starch; and for making forth Duplicates of Exchequer-Bills, Lottery-Tickers, and Orders, lost, burnt, or destroyed; and for enlarging the Time for adjusting Claims in several Lotteries; and for preventing Frauds in the Duties on Low-Wines and Spirits carried Coast-wise. Excise, Par. XXI. *Jersey*, &c. Par. I. Leather, Par. I. Lotteries, Par. XI. Taxes, Par. XXXI.
5. An Act for continuing the Duty of two Pennies Scots, or one sixth Part of a Penny Sterling, on every Pint of Ale and Beer that shall be vended or sold within the City of *Edinburgh*, and Privileges thereof, for the Benefit of the said City, and for discontinuing the Payment of the Dues commonly

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- commonly called the Petty Port Customs at *Edinburgh*, during the Continuance of this Act. *Scotland*, Par. XXIV.
6. An Act for laying a Duty of two Pennies *Scots*, or One sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of *Dunfreis*, and Privileges thereof, for paying the Debts of the said Town, and for Building a Church, and making a Harbour there. *Scotland*, Par. I.
7. An Act for redeeming the Duties and Revenues which were settled to pay off Principal and Interest on the Orders made forth on Four Lottery Acts passed in the ninth and tenth Years of her late Majesty's Reign; and for redeeming certain Annuities payable on Orders out of the hereditary Excise, according to a former Act in that Behalf; and for establishing a general yearly Fund, not only for the future Payment of Annuities at several Rates, to be payable and transferrable at the Bank of *England*, and redeemable by Parliament; but also to raise Monies for such Proprietors of the said Orders as shall choose to be paid their Principal and Arrears of Interest in ready Money; and for making good such other Deficiencies and Payments as in this Act are mentioned; and for taking off the Duties on Linseed imported, and *British* Linen exported. Annuities, Par. XIV. Customs, Par. I. *Linen-Cloth*, Par. II. *Linseed*, Par. I.
8. An Act for redeeming several Funds of the Governor and Company of the Bank of *England*, pursuant to former Provisions of Redemption; and for securing to them several new Funds and Allowances redeemable by Parliament; and for obliging them to advance further Sums, not exceeding Two millions five hundred thousand Pounds, at Five Pounds *per Centum*, as shall be found necessary to be employed in lessening the national Debts and Incumbrances; and for continuing certain Provisions made for the Expences of his Majesty's Civil Government; and for Payment of Annuities formerly purchased at the Rate of Five Pounds *per Cent*. And for other Purposes in this Act mentioned. Bank of *England*, Par. XXXIII.
9. An Act for redeeming the yearly Fund of the *South-Sea* Company (being after the Rate of Six Pounds *per Cent. per Annum*) and settling on the said Company a yearly Fund after the Rate of Five Pounds *per Cent. per Ann.* redeemable by Parliament; and to raise for an Annuity or Annuities at Five Pounds *per Cent. per Annum*, any Sum, not exceeding Two millions, to be employed in lessening the national Debts and Incumbrances, and for making the said new yearly Fund and Annuities to be hereafter redeemable in the Time and Manner thereby prescribed. *South-Sea* Company, Par. XI.

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10. An Act for the better collecting and levying the Revenue of the Tenths of the Clergy. Clergy, Par. XXII.
11. An Act to explain and amend several Laws therein mentioned, for the better Preservation of the Game. Game, Par. I.
12. An Act to impower Commissioners in Commissions of Bankrupts, issued since the Four and twentieth Day of June, 1706, and on or before the Six and twentieth Day of June, 1716, to make Certificates for Bankrupts, and the Lord Chancellor, Lord Keeper, Commissioners of the Great Seal, or two Judges, to confirm the same, notwithstanding the Acts of the Fourth and Fifth, and the Fifth of Queen Anne, are expired; and for continuing a Clause in a former Act for adjusting Accounts between Bankrupts and their Debtors. Bankrupts, Par. I.
13. An Act for the better regulating of Pilots for the conducting of Ships and Vessels from Dover, Deal, and the Isle of Thanet, up the Rivers of Thames and Medway. Ships, Par. I.
14. An Act to continue an Act of the first Year of his Majesty's Reign, intituled, *An Act for taking and stating the Debts due and growing due to Scotland by Way of Equivalents, in the Terms of the Union; and for Relief of the Creditors of the Publick, and the Commissioners of the Equivalent.* Scotland, Par. XLIII.
15. An Act for the better regulating the Office of Sheriffs, and for ascertaining their Fees, and the Fees for suing out their Patents, and passing their Accompts. Sheriffs, Par. I.
16. An Act for the better enabling Sheriffs to sue out their Patents, and pass their Accompts. Sheriffs, Par. XXVI.
17. An Act to enable his Majesty to appoint Commissioners to take, examine, state, and determine the Debts due to the Army. Accounts, Par. XVII.
18. An Act for explaining an Act passed the last Session of Parliament, intituled, *An Act to oblige Papists to register their Names and real Estates*; and for enlarging the Time for such Registering, and for securing Purchases made by Protestants. Papists, Par. VIII.
19. An Act for the King's most gracious, general, and free Pardon. Pardon, Par. I.
20. An Act to enlarge the Time for making Claims before the Commissioners appointed to enquire of the forfeited Estates. Treason and Traitors Estates, Par. XL.
21. An Act for continuing the Liberty of exporting Irish Linen-Cloth to the British Plantations in America Duty-free; and for the more effectual Discovery of and prosecuting such as shall unlawfully export Wool and Woollen Manufactures from Ireland; and for Relief of John Fletcher, in respect of the Duty by him paid for a Quantity of Salt lost in the Exportation for Ireland. Linen-Cloth, Par. III. Wool, Par. I.

Private

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Private Acts.

1. **A**N ACT for enlarging the Time granted by an Act passed in the Eighth Year of the Reign of her late Majesty Queen *Anna*, intituled, *An Act for making a convenient Dock or Basin at Liverpoole, for Security of all Ships trading to and from the said Port of Liverpoole.*
2. An Act for naturalizing *Isaac Kuyckuan Mierop.*
3. An Act for the Preservation and Improvement of the River *Wear*, and Port and Haven of *Sunderland*, in the County of *Durham.*
4. An Act for repairing the Highways from several Places therein mentioned, leading towards *Highgate Gate-house*, and *Hampstead*, in the County of *Middlesex*; and for electing Trustees for keeping up a sufficient Number for the repairing the Highways upon the Roads from *Highgate Gate-house* to *Barnet Black-house*; and also of the Highways between *Kilburn-Bridge* and *Sparrows Herne*, in the County of *Hertford.*
5. An Act to enable the Parishioners of the Parish of *St. Mary Rotherhithe* in the County of *Surrey* (by certain Funeral Rates therein mentioned) to finish the said Parish-Church.
6. An Act for settling the Estates of the most Noble *John Duke of Rutland*, and *John Manners Esq;* commonly called Marquiss of *Granby*, Son and Heir apparent of the said Duke, on the Marriage of the said Marquiss of *Granby* with the Honourable *Bridget Sutton*, only Child of the Right Honourable *Robert Lord Lexington*, and *Bridget Sutton* therein mentioned, in Trustees to be sold for raising Money for the Marriage-Portion of the said *Bridget Sutton.*
7. An Act for confirming a Partition lately made of the Estate of *Sir John Brownlowe Baronet* deceased, in the Counties of *Lincoln*, *York*, *Middlesex*, and *Hertford*, remaining unsold, and Articles of Agreement relating thereunto; and also the several Conveyances made of the divided Parts; and for making effectual a Fine and Recovery intended to be levied and suffered of a Fee-farm Rent of twenty Pounds *per Annum*. Part of the Estate in the said County of *Hertford.*
8. An Act to enable *John Barrington* alias *Shute Esq;* and his Issue male, to change their Surname to *Barrington*, according to the Settlement of *Francis Barrington Esq;* deceased.
9. An Act to empower the Barons of the Exchequer in *Ireland* to grant a Commission to some of the Barons of the Exchequer in *England*, to administer to *Thomas Hopkins Esq;* the Oaths for the due Execution of the Office or Offices of Searcher, Packer, and Gauger in the Port of the City of *Dublin*, granted to him for his Life.

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10. An Act to enable *Susanna Catharina Nugent*, to sue for, recover, and hold the Portion of Fourteen hundred Pounds, provided for her out of her Father's Estate, notwithstanding her Coverture and the Outlawry of her Husband *Hyacinthus Nugent* Esq;
11. An Act to enable *Francis Fulford* Esq; and his First and other Sons successively, to put in Execution the Power of granting Leases given by the Last Will and Testament of *Francis Fulford* Esq; deceased.
12. An Act for vesting an Estate late of *Sir Thomas Heath* Knt. deceased, in Trustees, to be sold for Payment of his Debts and other Uses.
13. An Act for rectifying Defects in a Settlement made by *Robert Davies* Esq; deceased, of certain Estates in the Counties of *Denbigh* and *Flinn*, and effectually securing the Payment of his Debts, and making Provisions for the younger Children of *Robert Davies* his Son, and settling the said Estates subject thereto.
14. An Act for repairing the Highways from that Part of *Counters-Bridge* which lies in the Parish of *Kensington* in the County of *Middlesex*, to the Powder-Mills in the Road to *Stairs*, and to *Cranford-Bridge* in the said County in the Road to *Colnebrooke*.
15. An Act for explaining and making more effectual the Acts of the fifth and eighth Years of her late Majesty Queen *Anne*, for amending the Road between *Hockley* in the County of *Bedford*, and *Stony Stratford* in the County of *Bucks*.
16. An Act for Sale of Part of the Duke of *Monsagu's* Estate, for the Intents and Purposes therein mentioned.
17. An Act to enable *Richard* Earl of *Scarborough* to take in Great Britain the Oath of Office as Vice-Treasurer and Receiver-General, and Paymaster-General of all his Majesty's Revenues in the Kingdom of *Ireland*, and to qualify himself for the Enjoyment of the said Office.
18. An Act to enable his Majesty to make Provision for the respective Wives and Children of *James* late Earl of *Senshesque*, *James* late Lord *Drummond*, the late *Sir Hugh Paterson* of *Bannockburn*, and *James Sterling* late of *Keir*.
19. An Act to enable his Majesty to make such Provision for, and Settlement upon *Margaret* the Wife of *James* late Earl of *Pannmuir*, as she would have been entitled to in case her said Husband was naturally dead.
20. An Act to enable his Majesty to make Provision for *Margaret* Lady *Nairn* and her Children, out of her paternal Estate, forfeited during the Life of *William Murray*, late Lord *Nairn*, her Husband.
21. An Act for raising and paying the Lady *Amelia Butler's* Portion out of Lands in *Ireland*.

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1. An Act for confirming a Partition made between *Robert Dashwood Esq;* and *Chalmley Turner Esq;* of certain Manors, Lands and Hereditaments in the County of *Oxon.*
2. An Act for confirming an Agreement made between *John Wind Clerk,* Vicar of *Thirklesby* in the County of *York,* and *Sir Thomas Frankland Bar.* for Exchange of the Vicarage-house, and certain Lands therein mentioned.
3. An Act for Sale of the Estate of *Thomas Middleton Esq;* deceased, for the more speedy raising of Maintenance-Money and Portions for his Daughters, and for the other Purposes in the Bill mentioned.
4. An Act to enable *Edward Rolt Esq;* to exchange a certain Parcel of Wood-Lands in the County of *Hertford* with *John Boteler Esq;* for other Wood-Lands of equal Value in the said County, and for settling the same respectively as therein mentioned.
5. An Act for vesting an Estate at *Corsham* in *Wiltshire* in the surviving Trustee and Executor of the Last Will of *Henry Frederick Thynne Esq;* deceased, and his Heirs, to make Sale thereof for the Execution of the Trusts created by his Will.
6. An Act to enable *Roger Stafford Esq;* and his Issue male, to change their Surname to *Wollocombe,* according to the Will of *Roger Wollocombe Esq;* deceased.
7. An Act for Sale of the Estate of *John Stone the Elder,* and *John Stone the Younger,* in the County of *Suffex,* for discharging the Incumbrances thereon in respect of the Infancy of one of the Coheirs of *John Stone the Younger,* and for securing the Residue of the Money as therein is mentioned.
8. An Act to enable *William Newman Esq;* to sell part of the Estate included in his Marriage-Settlement for Payment of Debts, and to settle another Estate in lieu thereof.
9. An Act for vesting in Trustees the Estate of *Thomas Richmond Esq;* deceased, in the County of *Essex,* to be sold for Payment of his Debts, Legacies, and Funeral Expences, according to the Will of the said *Thomas Richmond.*
10. An Act declaring the Uses of Two several Fines levied by *John Cusse Esq;* and *Margaret* his Wife, to *Joseph Kelly Esq;* deceased, and *Maurice Cusse Esq;* and the Heirs of the said *Joseph Kelly,* of certain Lands and Tithes in the Counties of *Down* and *Cavan* in the Kingdom of *Ireland.*
11. An Act to enable *Patrick Wemyss Esq;* to sell certain Houses in *Dublin* for Payment of Debts, and for the settling Lands in the County of *Kilkenny,* and elsewhere, to the same Uses to which the Houses to be sold were settled.
12. An Act to naturalize *John Jacob Heldt, Theodore Van Rheden,* and others.

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Publick Acts.

Anno 4 Georgii.

1. **A**N ACT for granting an Aid to his Majesty by a Land-Tax to be raised in *Great Britain*, for the Service of the Year 1718. *Taxes*, Par. XXXVII.
2. An ACT to enable his Majesty to be Governor of the *South-Sea Company*. *King*, Par. XIX.
3. An ACT for continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1718; and for making forth Duplicates of Exchequer-Bills, Lottery-Tickets, and Orders, lost, burnt, or destroyed; and for appropriating the Supplies granted in this Session of Parliament. *Excise*, Par. XXIII. *Half-Pay Officers*, Par. I. *Lotteries*, Par. XII. *Taxes*, Par. XXXVIII.
4. An ACT for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters. *Soldiers*, Par. XXXI.
5. An ACT for finishing the Tower of the Parish-Church of *St. Michael Cornhill, London*, out of the Duties arising pursuant to the ACT of the Ninth Year of the late Queen, for Building Fifty New Churches in and about the Cities of *London* and *Westminster*, and Suburbs thereof. *Churches*, Par. VI.
6. An ACT for Relief of the Wholesale Traders and Dealers in *English Bonelace*, by obviating several Doubts in the several ACTs for licensing Hawkers and Pedlars. *Hawkers and Pedlars*, Par. I.
7. An ACT for making more effectual an ACT made in the Eighth Year of the Reign of the late Queen *Anne*, intituled, *An ACT for employing the Manufacturers, by encouraging the Consumption of Raw Silk and Mohair Tarn*. *Buttons*, Par. I.
8. An ACT for vesting the forfeited Estates in *Great Britain* and *Ireland* in Trustees, to be sold for the Use of the Publick; and for giving Relief to lawful Creditors, by determining the Claims; and for the more effectual bringing into the respective Exchequers the Rents and Profits of the said Estates, till sold. *Treason and Traitors Estates*, Par. XLIV.
9. An ACT to appoint Commissioners to take, examine, state, and determine the Debts due to the Army, and to examine and state the Demands of several foreign Princes and States for Subsidies during the late War. *Accounts*, Par. XXXI.
10. An ACT for making the Dividend of subscribed Lottery Annuities, and other Annuities established by several ACTs of

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of Parliament, payable Half-yearly at the Bank of *England*.
Annuities, Par. LXIV.

11. An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons, and unlawful Exporters of Wool; and for declaring the Law upon some Points relating to Pirates. *Felons*, Par. I. *Piracy*, Par. III.
12. An Act for enforcing and making perpetual an Act of the Twelfth Year of Her late Majesty, intituled, *An Act for the preserving of all such Ships, and Goods thereof, which shall happen to be forced on Shore, or stranded upon the Coasts of this Kingdom, or any other of Her Majesty's Dominions*; and for insisting the Punishment of Death on such as shall wilfully burn or destroy Ships. *Ships*, Par. XII.
13. An Act for enlarging the Term of Years granted by the Acts of the eleventh and twelfth Years of King *William* the Third, and second and third Years of Queen *Anno*, for the Repair of *Dover-Harbour*. *Habens*, Par. II.
14. An Act to impower the Commissioners appointed to put in Execution the Act of the ninth and tenth Years of Her late Majesty's Reign, for Building Fifty New Churches in and about the Cities of *London* and *Westminster*, and Suburbs thereof, to direct the Parish-Church of *St. Giles in the Fields* in the County of *Middlesex*, to be rebuilt, instead of One of the said Fifty New Churches. *Churches*, Par. VII.

Private Acts.

AN Act to enable *George Bubb Esq*; and his Issue male, to change their Surname to the Surname of *Dodington*.

An Act for naturalizing *Abraham Boetseur*.

An Act for the better explaining several Acts therein mentioned, for erecting of Hospitals and Work houses within the City of *Bristol*, for the employing and maintaining the Poor thereof, and for making the said Acts more effectual.

An Act for amending the Roads from the City of *London* to the Town of *East Grinstead* in the County of *Suffex*, and to the Towns of *Sutton* and *Kingston* in the County of *Surrey*.

An Act for repairing the Highways leading from the Stones-end of *Kent-street* in the Parish of *St. George's Southwark* in the County of *Surrey*, to the Lime Kilns in *East-Greenwich* near *Black-Heath*, and to *Lewisbam-Church*, being the *Tunbridge-Road* in the County of *Kent*.

An Act for repairing the Highways from *Maidenhead-Bridge* to *Sunning-lane End* (next to *Twiford*) in the Road to *Reading*, and from the said Bridge to *Henley-Bridge* in the County of *Berks*.

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7. An Act for repairing the Highways from Crown-Corner in the Town of *Reading* (leading by and through the several Parishes of *Shinfield* and *Heckfield* in the several Counties of *Berks*, *Wilts*, and *Southampton*) to *Basingstoke* in the said County of *Southampton*.
8. An Act for settling the Estates of the most noble *William* Duke of *Devonshire*, and *William Cavendish* Esq; commonly called Marquis of *Hartington*, Son and Heir apparent of the said Duke, on the Marriage of the said Marquis of *Hartington* with *Catherine Hoskins* Spinster, only Child of *John Hoskins* Esq; deceased.
9. An Act to enable *Henry* Duke of *Kent*, and *Anthony Gray* Esq; commonly called Earl of *Harrold*, to make Jointures for the Wife or Wives of the said Earl of *Harrold*, and for other Purposes therein mentioned.
10. An Act for vesting the Manor of *Esher-Water-vale*, and other Lands therein mentioned, in the most noble *Thomas* Holles, Duke of *Newcastle*, and his Heirs, in Consideration of Rent-Charges to be issuing out of the same, and other Lands in lieu thereof, to the Use of the Corporation of *Kingston upon Thames* in the County of *Surrey*, in Trust for the Poor of the said Town.
11. An Act to enable *Richard* Earl of *Burlington* to make Leases of a Piece of Ground behind *Burlington-House*.
12. An Act for confirming the respective Sales of a Fee-Farm Rent, and divers Lands, Tenements, and Hereditaments in the County of *Bedford*, lately made by the Right Honourable *John* Lord *Carteret*, and *William Hilderston* Esq; to each other, and to discharge the same from divers Estates, Terms, and Trusts, to which they are respectively liable by several Settlements made thereof.
13. An Act for vesting the great Tithes and Glebe Lands belonging to the Rectory of *Spaxby* in the County of *Leicester*, in the Right Honourable *Bennet* Lord *Harborough*, and his Heirs, in lieu of other Land, and an Annuity to be settled on the Rector of the said Church, and his Successors for ever, and for other Purposes therein mentioned.
14. An Act for Sale of Part of the Estate of *John* late Earl of *Kildare* deceased, towards Payment of his Debts, and for other the Purposes therein mentioned.
15. An Act for establishing the Disposition of the personal Estate of *Sir Benjamin Bathurst* deceased, and the Settlements on his Three Sons under his Will, and exchanging Ground-Rents in *Wapping* in *Middlesex* for another Rent of like Value, and other Purposes therein mentioned.
16. An Act for the better enabling the Honourable *James Bertie* Esq; to raise Portions for his younger Children,

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17. An Act for making more effectual certain Articles of Agreement between Sir George Downing Baronet, and Dame Mary, eldest Daughter of Sir William Forester Knt. and her Trustees.
18. An Act for confirming an Agreement between Dame Elizabeth Napier, Sir Theophilus Napier Baronet, Archibald Napier and Edward Napier, the Relict and Sons of Sir John Napier deceased, touching his Real and Personal Estate, for vesting his Lands and Hereditaments in the Counties of Bedford and Hertford in Trustees, for the better Performance of the said Agreement.
19. An Act for vesting divers Lands and Tenements in the County of *Suffex*, Part of the Estate of *Charles Eversfield* Esq; in Trustees, for a present Provision for his Son, and for the Payment of the Debts of the said *Charles Eversfield*.
20. An Act for Sale of Part of the Estate late of *Joseph Thurston* Esq; deceased, lying in the Counties of *Suffolk* and *Essex*, for Payment of his Debts, and making Provision for his infant Children.
21. An Act for the exonerating and discharging the Manors, Lands, and Hereditaments, of *Francis Cornwall* Esq; and likewise the said *Francis Cornwall* of and from certain Articles of Agreement made before the Marriage of the said *Francis Cornwall*.
22. An Act to enable *Ralph Shipperdson* Esq; to make Sale of his Estate in *Studley-Roger* in the County of *York*, freed from the Uses and Trusts in the said *Ralph Shipperdson's* Marriage-Settlement, and to settle his Estate at *East-Morton* in the County of *Durham* to the same Uses.
23. An Act to enable the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, to compound with Mr. *John Offley* for the Debt he stands engaged for to the Crown for the Duties on Tobacco.
24. An Act to naturalize *Peter Rosa*, and others.
25. An Act to naturalize *Martin Ludolph*, *Ulrick Jansen*, *John Ludolph Spellerberg*, *John Spieker*, and *Laurence Gundelach*.

Publick Acts.

Anno 5 Georgii.

1. AN Act for granting to his Majesty an Aid by a Land-Tax to be raised in Great-Britain, for the Service of the Year 1719 Taxes, Par. XLI.

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2. An Act for continuing the Duties on Malr, Mum, Cyder, and Perry, for the Service of the Year 1719; and for enlarging the Time for entering at the Exchequer such Assignments of reversionary Annuities as are therein mentioned; and for better securing the Duties on Hides and Skins, Vellom and Parchment. *Excise, Par. XXX. Leather, Par. II.*
3. An Act for applying certain overplus Monies, and further Sums, to be raised, as well by way of a Lottery, as by Loans, towards paying off and cancelling Exchequer-Bills, and for lessening the present great Charge in relation to those Bills; and for circulating and exchanging for ready Money the Residue of the same Bills for the future. *Lotteries, Par. XIII.*
4. An Act for strengthening the Protestant Interest in these Kingdoms. *Religion, Par. I*
5. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters. *Soldiers, Par. LXXXVIII.*
6. An Act for quieting and establishing Corporations. *Corporations, Par. I.*
7. An Act for continuing an Act made in the twelfth Year of the Reign of Her late Majesty Queen Anne, intituled, *An Act for encouraging the Tobacco-Trade.* *Tobacco, Par. VIII.*
8. An Act for the more effectual Relief of such Wives and Children as are left by their Husbands, and Parents, upon the Charge of the Parish. *Poor, Par. I.*
9. An Act for continuing certain Duties upon Coals and Culm, and for establishing certain Funds to raise Money, as well to proceed in the Building of New Churches, as also to complete the Supply granted to his Majesty, and to reserve the Overplus Monies of the said Duties for the Disposition of Parliament, and for more effectual Suppressing private Lotteries. *Churches, Par. IX. Lotteries, Par. LXXXI.*
10. An Act for enlarging the Time granted by two Acts of Parliament, for Repairs of the Piers of *Bridlington* alias *Bur-lington*, and for making the said Acts more effectual. *Har-bours, Par. III.*
11. An Act against clandestine Running of Uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs. *Customs, Par. II.*
12. An Act for making more effectual the several Acts past for repairing and amending the Highways of this Kingdom. *Highways, Par. XVIII.*
13. An Act for the Amendment of Writs of Error; and for the further preventing the arresting or reversing of Judgments after Verdict. *Writs of Error, Par. I.*
14. An Act to continue the Commissioners appointed to examine, state, and determine the Debts due to the Army, and

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to examine and state the Demands of several foreign Princes and States for Subsidies during the late War. *Accounts*, Par. XLI.

15. An Act for making more effectual an Act of the third and fourth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the more effectual Discovery and Punishment of Deer-stealers*. *Deer-stealers*, Par. I.
16. An Act for laying a Duty of Two Penies *Scots*, or One sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of *Dunbar*, for improving and preserving the Harbour, and repairing the Town-house, and building a School, and other publick Buildings there; and for supplying the said Town with Fresh-Water. *Scotland*, Par. X.
17. An Act for laying a Duty of Two Penies *Scots*, or One sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of *Inverness*, and Privileges thereof, for paying the Debts of the said Town, and for building a Church, and making a Harbour there. *Scotland*, Par. XCVII.
18. An Act for recovering the Credit of the *British* Fishery in foreign Parts; and for better securing the Duties on Salt-Fish and Fishery, Par. XIX. *Hertep, &c.* Par. IV. *Salt*, Par. I.
19. An Act for redeeming the Fund appropriated for Payment of the Lottery-Tickets which were made forth for the Service of the Year 1710, by a voluntary Subscription of the Proprietors into the Capital Stock of the *South-Sea* Company; and for raising a Sum of Money to pay off such Debts and Incumbrances as are therein mentioned; and for appropriating the Supplies granted in this Session of Parliament; and to limit Times for Prosecutions upon Bonds for exporting Cards and Dice. *Cards and Dice*, Par. I. *South-Sea* Company, Par. XXXVI. *Taxes*, Par. XLVIII.
20. An Act for settling certain yearly Funds payable out of the Revenue of *Scotland*, to satisfy publick Debts in *Scotland*, and other Uses mentioned in the Treaty of Union; and to discharge the Equivalents claimed on Behalf of *Scotland* in the Terms of the same Treaty; and for obviating all future Disputes, Charges, and Expences, concerning those Equivalents. *Scotland*, Par. XLVIII.
21. An Act for the better securing the lawful Trade of his Majesty's Subjects to and from the *East-Indies*; and for the more effectual preventing all his Majesty's Subjects trading thither under foreign Commissions. *Trade and Commerce*, Par. VI.

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22. An Act for enlarging the Time to determine Claims on the forfeited Estates. *Treason and Traitors Estates*, Par. LXXXVII.
23. An Act for appointing a Commissioner and Trustee to put in Execution the Powers and Authorities of the several Acts of Parliament relating to the forfeited Estates, and Estates given to superstitious Uses, in the Room of *George Treby Esq;* who has desired to be discharged from the said Trusts. *Treason and Traitors Estates*, Par. XCIX.
24. An Act for the better preventing Frauds committed by Bankrupts. *Bankrupts*, Par. IV.
25. An Act for continuing the Act made in the eighth Year of the Reign of the late Queen *Anne*, to regulate the Price and Assize of Bread; and for continuing the Act made in the twelfth Year of her said late Majesty's Reign, for the better Encouragement of the making Sail-Cloth in *Great Britain*, Bread, Par. V. *Sail-Cloth*, Par. I.
26. An Act for preventing the Mischiefs which may happen by keeping too great Quantities of Gunpowder in or near the Cities of *London* and *Westminster*, or the Suburbs thereof. *Gunpowder*, Par. I.
27. An Act to prevent the Inconveniencies arising from seducing Artificers in the Manufactures of *Great Britain* into foreign Parts. *Artificers*, Par. I.
28. An Act for the further Punishment of such Persons as shall unlawfully kill or destroy Deer in Parks, Paddocks, or other inclosed Grounds. *Deer-stealers*, Par. VII.
29. An Act for making more effectual the Laws appointing the Oaths for Security of the Government, to be taken by Ministers and Preachers in Churches and Meeting-houses in *Scotland*. *Scotland*, Par. CIX.
30. An Act for amending and making more effectual the Laws for repairing the Highways, Bridges, and Ferries in that part of *Great Britain* called *Scotland*. *Scotland*, Par. LXXXIX.
31. An Act for enlarging the Time granted by an Act of the ninth and tenth Years of King *William*, for cleansing and making navigable the Chanel from the *Hythe* at *Colchester* to *Wivenhoe*; and for making the said Act more effectual. *Rivers*, Par. I.
32. An Act for Relief of such Sufferers of the Islands of *Neris* and *St. Christophers* as have settled in either of those Islands, and made due Proof of such Settlement before the twenty-fifth Day of *December*, 1712. *Neris* and *St. Christophers*, Par. I.

The Titles of the Statutes.

Private Acts.

1. AN Act for repairing the Roads from the Top of *Stoken Church Hill* to *Enslow-Bridge*, and the Road leading from *Wheatly-Bridge* through the City of *Oxon* by *Begbrooke*, to *New Woodstock* in the County of *Oxon*, (except the Mile-Way on each Side the said City;) and to disable all Commissioners or Trustees appointed for repairing of any Highways or Roads, to have any Place of Profit arising out of the Toll for repairing such Highways or Roads.
2. An Act for repairing the Roads from *Beconsfield* in the County of *Bucks*, to *Stoken Church* in the County of *Oxon*.
3. An Act to render more effectual the Agreements that have been made between *Thomas Holles Duke of Newcastle*, *Henry Pelham Esq*; *Edward Lord Harley*, and the Lady *Henrietta* his Wife, *William Vane*, and *Gilbert Vane*, Esquires, Sons of *Christopher Lord Bernard*, or any of them, in relation to the Will and Estate of *John* late Duke of *Newcastle*; and for settling the same in such Manner as may be agreeable to the Intent of the said Agreements; and for other Purposes therein mentioned.
4. An Act to vest the Fee and Inheritance of the Capital Messuage called *Halifax-House* in *St. James's Square*, in the Parish of *St. James's Westminster*, and the Castle and Manor of *Forbairnburghay* in the County of *Northampton*, in Trustees, to be sold, together with a Term of Five hundred Years devised by *William* late Lord Marquis of *Halifax* to his Executors, in Trust, for the better Performance of his Will.
5. An Act for Relief of *Sir Nicholas Tempest* Baronet, touching an Estate demised to him by *William* late Lord *Widdrington* and Lady *Jane* his late Wife, many Years before the Attainder of the said late Lord *Widdrington*.
6. An Act to enable *William Glauwill Esq*; to take upon him the Surname of *Glauwill*, instead of his Surname of *Evelyn*, pursuant to the Will of *William Glauwill Esq*; deceased.
7. An Act to enable *William Pulteney Esq*; and the Persons in Remission after him, to make Leases of the Houses and Ground therein mentioned, and to rectify some Mistakes in two Leases from King *Charles* the Second to *Sir William Pulteney*, and from King *William* the Third to *John Pulteney Esq*;
8. An Act for vesting certain Lands and Tenements in the County of *Somerset*, the Estate of *Thomas Jett Esq*; in Trustees, to be sold, and with the Money arising thereby, to purchase other Lands of the like Value, to be settled to the same Uses.
9. An

The Titles of the Statutes.

9. An Act for vesting in *John Porrett* Gent. and his Heirs, Part of the Estate of *Thomas Davison* Esq; at *Stranton, Seaton, Carrew, and Thorp Thewles* in the County of *Durham*, freed from the Uses and Trusts of the said *Thomas Davison's* Marriage-Settlement, and to settle other Lands of better Value to the same Uses.
10. An Act for Sale of several Manors, Lands, Tenements, and Hereditaments of the Right Honourable *Thomas* Earl of *Westmorland* in the County of *Kent*, and with the Monies arising by such Sale to purchase other Lands in or near the County of *Northampton*, to be settled to the same Uses.
11. An Act for vesting an Estate late of *Francis Phelps* Esq; in *Barking* in the County of *Essex*, in Trustees, to be sold for the Purposes therein mentioned.
12. An Act to enable *Thomas Willoughby* Esq; and the Persons in Remainder after him, to make a Jointure.
13. An Act to enable *Katherine Paul*, an Infant, to transfer the Trust therein mentioned, as if she were of the Age of One and twenty Years.
14. An Act for confirming an Agreement between the Mayor and Commonalty, and Citizens of the City of *London*, Governors of the Possessions, Revenues, and Goods of the Hospitals of *Edward King of England the Sixth, of Christ, Bridewell, and St. Thomas the Apostle*, and the Governors of the Schools founded by *Erasmus Smith* Esq;
15. An Act for Sale of Part of the Estate of *Robert Barwell* Esq; and for purchasing other Lands to be settled to the same Uses, as the Estate to be sold is settled.
16. An Act for Sale of the Estate of *Nathaniel Long* late of *London* Merchant, deceased, for Payment of his Debts, and for applying the Residue according to the Directions of his Will.
17. An Act to naturalize *Peter Sejourne, Samuel Dufresnay, and Peter Lucas*.
18. An Act for naturalizing *Lodowick Christian Sprogell*.
19. An Act for making the Town and Township of *Sunderland* a distinct Parish from the Parish of *Bishop-Wearmouth* in the County of *Durham*.
20. An Act for vesting the Manors of *Aske, Catterton, and* other Lands in the County of *York*, and County of the City of *York*, Part of the Estate of *Philip Duke of Wharton*, in Trustees, to be sold or mortgaged for the Purposes therein mentioned.
21. An Act to enable the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, to compound with *Jasper Cullum* for the Debts he stands engaged for to the Crown on Account of *Richard Lee, Thomas Corbin, Heneage Robinson, and John Fox*, for the Duties on Tobacco.

The Titles of the Statutes.

22. An Act to enable the Lords Commissioners of the Treasury, or Lord High Treasurer for the Time being, to compound with *Robert Weemes* for the Debt due from him to his Majesty, in relation to the Duties on Salt.
 23. An Act to enable *Robert Packer* Esq; and *Mary* his Wife, *Winchcombe Howard Packer* (their Son a Minor) *Henrietta Winchcombe*, and *Thomas Skerrett* Esq; and Dame *Elizabeth Winchcombe* his Wife, to enter their respective Claims before the Commissioners and Trustees for determining Claims upon the forfeited Estates, and to empower the said Commissioners and Trustees to hear and determine the said Claims.
 24. An Act for the Relief of *Edward Clent* Esq; Executor of Lieutenant Colonel *Thomas Clent*, for an Army Debenture lost in the Pay-Office.
 25. An Act to naturalize *Peter Lamy de Hame*, and *Charlotte Whetstone*.
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AN EXACT
ABRIDGMENT
Of all the
STATUTES

In Force and Use

From the Death of Q. ANNE,
to the End of the fifth Year
of King GEORGE.

VOL. V.

Accounts.

S Stat. 1 G. 3. 24. Sect. 1. Enacted, That *Thomas Smith* of *Glasgow*, *Thomas Pelham*, *Grey Nevill*, *John Plumptre* and *Leonard Smelt*, Esqrs; *Sir William Gordon* and *Sir Thomas Palmer* Barts. shall be, and are hereby constituted Commissioners for taking and stating the Debts due to all the Officers, Regiments, Troops and Companies of the Army, which were in the Pay of the late *Queen Anne*, in *Great Britain* or elsewhere, on the 24th of *December*, 1701, or at any Time since; and the Debts due for

VOL. V.

B

Clothing,

Clothing, Waggon-Money, and other Extraordinaries; for Fire, Candle, and all other Debts for any Matters or Things relating to the Army.

II. *Sec. 2.* The Commissioners hereby constituted, or any four of them, shall take and state the Accounts of the Regiments of

<i>Barrymore, (Fusileers)</i>	<i>Lepell,</i>
<i>Bloffet,</i>	<i>Magny, (Dragoons)</i>
<i>Bouchetiers,</i>	<i>Magny, (Foot)</i>
<i>Butler,</i>	<i>Molesworth,</i>
<i>Carrol,</i>	<i>Montandre,</i>
<i>Clayton,</i>	<i>Munden,</i>
<i>Creighton,</i>	<i>Nessau, (late Edward Stanhope)</i>
<i>Dalzeel,</i>	<i>Newton,</i>
<i>D'Assa,</i>	<i>Pearce, (Dragoons)</i>
<i>Desbordes,</i>	<i>Pearce, (Foot)</i>
<i>Desny, (late I/say)</i>	<i>Pepper,</i>
<i>Dormer,</i>	<i>Philips,</i>
<i>Dubourgay,</i>	<i>Rich,</i>
<i>Farrington,</i>	<i>Rook,</i>
<i>Feilding,</i>	<i>Sanky,</i>
<i>Foissac,</i>	<i>Sarland,</i>
<i>Francks,</i>	<i>Slane,</i>
<i>Gally,</i>	<i>Stanhope,</i>
<i>Galway, (Spanish Foot)</i>	<i>Stanhope (William) late Richards)</i>
<i>Gore,</i>	<i>Stanwin,</i>
<i>Grant,</i>	<i>Strafford,</i>
<i>Guiscard,</i>	<i>Tyrrel,</i>
<i>Harrison,</i>	<i>Vesey,</i>
<i>Harvey,</i>	<i>Whetbam,</i>
<i>Hill,</i>	<i>Windess,</i>
<i>Hotham,</i>	<i>Windsor (late Mordant)</i>
<i>Johnsen, (late Brudenell)</i>	<i>Wishers,</i>
<i>Jones,</i>	
<i>Kerr,</i>	
<i>Leigh,</i>	

and such other Regiments as shall appear to the said Commissioners to be in arrear and unpaid, pursuant to such Establishments and Warrants, as were made out and signed by the late Queen, for the respective Times that such Regiments, or any other Regiment, Troop, or Company, remained in actual Service, for which no Establishment was regularly made: And the said Commissioners, or any five or more of them, shall state the Accounts of such Regiments, &c. as are in Arrear, pursuant to the last preceding Establishments signed by her late Majesty, unless it shall appear to the Commissioners that any Orders were given by the late Queen, or by Vertue of her

Authority, or of the General commanding in Chief, for augmenting or reducing the said Regiments, &c. In which Case the Credits of Pay for them, shall be regulated according to such Augmentation or Reduction. And the Pay of all Regiments, &c. shall be stated according to the proper Muster-Rolls, where they can be had; and where they can not be had, by the immediate preceding or subsequent Muster-Rolls, or by such other Proofs, as any four or more of the Commissioners shall judge proper and sufficient. And in stating the Accounts of the Regiments of *Gore, Mountjoy, Windsor late Mordaunt, Hill, Portmore, Harrison, Stewart, Pepper, Wightman, Wade, Bowles, Leigh, Butler, Kerr, Montandre, and Desny late Islay*, or any Regiment charged with Officers *en second, Catalans, Neapolitans*, or others, the said Commissioners, or any four or more of them, are hereby impowered to give an additional Credit for the Pay of such Officers and private Men, so far as it shall appear that the Pay of such Officers, &c. hath been paid, tho' the Charge shall thereby exceed the Credit allowed by the proper Establishments. And the Commissioners, or any four or more of them, are hereby authorized to give Credit in the Accounts of the Regiments of *Gore, Mountjoy, Windsor late Mordaunt, Hill, Portmore, Harrison, Stewart, Wightman, Bowles, Leigh and Kerr*, and such other Regiments, &c. as are in the like Case, for so much of the Charge made on them, for Subsistence, Clothes or Arms, taken by the Enemy, or lost at Sea, and that have not been otherwise paid or supplied by the Government.

III. *Sec. 3.* Provided that no such Credit shall be given unless it appears upon Oath to the Commissioners, that the said Regiments have been duly subsisted and clothed: And the Commissioners are impowered to give Credit for Recruits raised at home, tho' the Regiments were compleated abroad by *Catalans, &c.* as far as it shall appear to them, that the said Credit, with the proper Effectives, doth not exceed the Pay of those Regiments, by the Establishments already made, or hereby directed to be the Establishments. And where it shall appear to the said Commissioners, that Money is due to the Officers or Soldiers of any Regiment, &c. from any Colonel, &c. who has received the same for their Use, over and above what shall appear to be due from the Government; whereby what is justly due to such Officers, &c. cannot be duly stated, in such Case the Commissioners shall distinguish and certify what appears to be due to such Officers, &c. from such Colonel, &c. for such Time as the said Regiments, &c. are in arrear, and their Accounts not already cleared by the Government.

IV. *Sec. 4.* The Officers of the Exchequer, and all such Persons as have been, are, or shall be, Secretary at War, Muster-Master, Paymaster of the Land-Forces, or any of them, and

their respective Deputies, &c. and all other Persons whatsoever, whom the said Commissioners shall think fit to examine, shall, and are hereby strictly enjoined to observe and execute such Orders as they, by Writing under their Hands shall direct and ordain, touching the Accounts by this Act appointed to be taken and stated. And the said Commissioners are authorized to sit in such Place in London and Westminster, and Suburbs thereof, as they shall think fit, with or without Adjournment; and to send their Precepts for any Persons, and for such Books, Papers, &c. as they shall judge necessary for their Information in Things relating to the said Accounts; and to administer an Oath to any Person, &c. And all his Majesty's Officers are required to obey such Orders as shall be sent them by the said Commissioners, touching the Accounts, &c. committed to their Care: And the Commissioners are authorized to imploy such Clerks, &c. as they shall think meet, and to give each of them an Oath for the faithful Performance of the Trust reposed in him, without taking any other Reward, than such Salary as the Commissioners shall think fit to appoint.

V. *Sett.* 5. Any two of the Commissioners shall, before they enter upon the Execution of this Act, take an Oath before the Chancellor of the Exchequer, or the Master of the Rolls (which Oath the said Chancellor, &c. are hereby authorized to administer) in the following Words, *wiz.*

I A. B. do swear, That I will, according to the Best of my Skill and Knowledge, faithfully, impartially and truly demean my self in taking, examining and stating the Accounts, Claims and Demands of all Sum and Sums of Money, and other Matters and Things brought, or to be brought before me, in Execution of an Act, intituled, An Act for appointing Commissioners to take, examine and state the Debts due to the Army.

And every other of the said Commissioners shall likewise take the said Oath before the said two Commissioners, who are hereby impowered to administer the same to them, after themselves have taken the said Oath as aforesaid.

VI. *Sett.* 6. In stating the Accounts the Commissioners are required to distinguish what is due for Clothing, what for Poundage, and what remains to each Officer, or to any claiming under him, over and above all Money by him received, or paid to his Use. And the Commissioners (when required so to do) shall give an Account in Writing under their Hands and Seals, of their Proceedings, to the King, and to both Houses of Parliament.

VII. *Sett.*

Accounts.

VII. *Sett.* 7. All Accountants to the King shall render their Accounts in the Court of Exchequer; any Thing in this Act notwithstanding.

VIII. *Sett.* 8. This Act, as to the Powers of taking Accounts and administering Oaths, shall endure from the 10th of September, 1715, to the 10th of September, 1716, and no longer.

IX. *Sett.* 9. Where it shall be made appear to the Commissioners, that the Officers or Soldiers of any Regiment, &c. have been accounted with for their Subsistence-Money, allowed by the late Queen's Regulation, in their several Passages by Sea, without any Deduction made from the same for Sea-Provisions; the Acrears due to such Regiment, &c. shall be stated without any Deduction to be made for such Sea-Provisions.

X. *Sett.* 10. The Commissioners shall not incur any Penalty or Disability for putting this Act in Execution, nor be deemed incapable of sitting or voting in Parliament.

XI. *Sett.* 11. The Treasury shall pay 3000*l.* to such Person or Persons as the Commissioners shall by Writing under their Hands, desire or direct, out of any unappropriated publick Money, for the Payment of Clerks, &c. and other incident Charges; and 500*l.* to each Commissioner, by quarterly Payments, from the 10th of September, 1715: Which Allowances shall be free from all Taxes; and without Account.

XII. *Sett.* 12. No Person, appointed a Commissioner for putting this Act in Execution, shall be capable of accepting or holding any Place of Profit from or under the King, while this Act continues in Force.

XIII. Stat. 1*G.* c. 35. The Preamble recites the preceding Act, and that *Thomas Smith Esq;* one of the Commissioners therein named, is deceased. Then it is enacted, (*Sett.* 1.) That *Robert Bristow Esq;* be a Commissioner for taking and stating the Accounts, &c. before-mentioned in the Stead of the said *Thomas Smith* deceased; and that the said *Robert Bristow*, together with the other Commissioners in the said Act named, (who are living,) shall be Commissioners for that Purpose: And that they, or such Number of them, as by the said Act were in any Cases appointed to be a *Quorum*, shall have Power to proceed in the examining and stating the Accounts, and to perform and finish all such Matters, as were intended to be examined, stated, &c. by the said Act.

XIV. *Sett.* 2. The said *Robert Bristow*, before he enters on this Trust, shall take the Oaths in the said Act contained, before two of the other Commissioners.

XV. *Sett.* 3. So much as remains unsatisfied of the Sum of 3000*l.* for Clerks, &c. and incident Charges, shall be paid to such Persons as the Commissioners, or any four of them, shall

direct. And each Commissioner shall have the Allowance of 500*l.* *per Annum*, from the 10th of *December*, 1715, by quarterly Payments, during the Continuance of the Execution of the Trust reposed in him, free from Taxes and without Account.

XVI. *Stat.* 4. The said recited Act, and all the Powers, &c. therein contained, shall be in Force from the 9th of *September*, 1716, to the 10th of *March* then next following, as fully as if the same were particularly repeated,

XVII. *Stat.* 3 G. 2. 17. *Stat.* 1. Reciting the above Acts of 1 G. 2. 24. and 2. 35. and that whereas the said Commissioners did, before the Expiration of the last mentioned Act, make a considerable Progress in the Matters to them referred, but did not perfect the same, which ought to be done with all Expedition possible; therefore enacted, That the King may grant to any Persons, whom he shall think fit, not exceeding seven, his Commission under the Great Seal, with full Authority, at any Time before the 10th of *March*, 1717, to take and state the Debts due to the Army, in as ample Manner, and with the like Powers, as the Commissioners constituted by the said several Acts of the first Year of the King, thereby had; with the like Salaries, &c. for themselves, their Clerks, &c. and other incident Charges: And that the Moneys provided by the last mentioned Act, shall be paid to the Commissioners so to be appointed by his Majesty for Salaries, &c. as if the said Commissioners had been constituted by Act of Parliament.

XVIII. *Stat.* 2. The said Commissioners so to be constituted, or any four or more of them, shall proceed to determine such of the said Accounts, &c. as were stated by the Commissioners appointed by the former Acts; and likewise to take, state and determine such of the said Accounts, &c. as are not so taken, and determine the same; and all Determinations of the Commissioners to be final. And the Commissioners shall certify their respective Determinations to the Paymaster of his Majesty's Forces, or to the late Paymasters, for such respective Times as they were concerned in the Payment of the late Queen's Forces, and in which the said Debts, &c. became due; and what remains due upon such respective Accounts, &c. and to whom; in order to the said Paymasters making out Debentures to the Officers, &c. to whom the Moneys so certified to be due shall belong; which Debentures the said Paymasters are required to make out accordingly.

XIX. *Stat.* 3. The Lord High Treasurer, or Commissioners of the Treasury, for the Time being, shall appoint such a Form and Method of making out of the said Debentures, as may best tend to prevent their being counterfeited.

XX. *Stat.* 4

XX. *Seff. 4.* The said Debentures shall carry an Interest of *4. l. per Cent. per Annum*, to commence from the 24th of June, 1717, and to be paid quarterly.

XXI. *Seff. 5.* No Duty shall be paid for stamping the said Debentures; and the Commission to be granted in Pursuance of this Act, shall be issued without Charge to the Commissioners.

XXII. *Seff. 6.* The Treasury shall pay any Sum, not exceeding 3000 *l.* to such Persons as the Commissioners so to be constituted, shall direct, out of any Supply granted this Session for publick Services, for the Payment of Clerks, &c. As also the Sum of 500 *l.* to each Commissioner to be appointed by the King as aforesaid, to be paid quarterly from the 10th of March, 1716; all the said Allowances, &c. to be tax-free, and without Account.

XXIII. *Seff. 7.* This Act shall not authorize the said Commissioners to determine any Demand, other than such as shall be made pursuant to the Establishments or other Authorities directed to be observed by the Commissioners in the herein recited Acts; or where Establishments, &c. shall be wanting, to any Warrant under his Majesty's Sign Manual, so as every such Warrant do specify the Service for which it is granted, and that such Service having been examined by the said Commissioners, shall have been reported by any four or more of them to be reasonable, and the Warrant under the Sign Manual for allowing the same be countersign'd by the Commissioners of the Treasury, or Lord High Treasurer for the Time being.

XXIV. *Seff. 8.* The said Commissioners, or any four or more of them, shall state, &c. the Debts due to the General Officers of the Army, who served abroad in the late War, during the Time of their actual Service, to compleat the full Pay of, and Forage for their Services, according to the Commissions they then had.

XXV. *Seff. 9.* The said Commissioners are impowered to state and determine all such Demands as have or shall arise from the disbanding any Regiment, or reducing any Numbers of Men in Regiments, before the Expiration of the Assignment of their Off-reckonings, as just and legal Debts.

XXVI. *Seff. 9.* And for preventing vexatious Suits, and to the End that all Differences may be speedily determined between Officers, &c. their Executors, &c. touching any Account, &c. relating to the Army, and in Relation to such Accounts only as the said Commissioners have Power to determine; it is enacted, That the said Commissioners shall determine all such Differences, and give a Certificate thereof to the Party concerned; for which Purpose they are hereby impowered to summon before them all Persons that shall be

thought necessary for the Determination thereof, and to examine them upon Oath; which Oath they are hereby impowered to administer: And if upon the Determination of such Differences by the Commissioners, any Sums of Money shall appear to be due from one Officer, Agent, &c. to another Officer, &c. and the Persons indebted shall refuse to pay the same on Demand, the Parties to whom such Balance shall appear to be due, may bring Action of Debt, or upon the Case, for the same; which shall be taken as a stated Debt or Demand, in any of the Courts at *Westminster*.

XXVII. *Stat. 10.* No Process shall be issued out of any of the said Courts, or any other Courts of Law or Equity, for or concerning any of the said Accounts, &c. relating to the Army, other than for the Recovery of such Balance as shall be adjusted by the said Commissioners, except in Cases where a Suit hath been depending for the Matter in Question, in some Court of Law or Equity, before the 24th of *June, 1717.*

XXVIII. *Stat. 11.* Where it shall appear to the Commissioners, that any Sum of Money has been paid by any Person, on Account of the Pay of any Officer, Regiment, Troop or Company, and that the same is duly charged to the Account of the Pay of such Officer, &c. whereby the Government has Credit for the said Sum, but has not paid the same to the Person who paid it to and for the Use of such Officer, &c. in such Case the Commissioners shall make out a Certificate, and the Paymaster issue a Debenture, for such Sum of Money, in the Name of the Person who paid the same, or to his Assigns or legal Representatives: Provided the same Money, together with such other Sums as shall have been paid by the Publick, and charged on such Officer, &c. exceed not the Pay allowed by the Establishments.

XXIX. *Stat. 12.* No Person to be so appointed a Commissioner by his Majesty shall be capable of accepting or holding any Place of Profit under the King, during the Continuance of the said Commission.

XXX. *Stat. 13.* None of the Commissioners shall incur any Penalty or Disability, for accepting the said Commission, or putting it in Execution; nor be incapable of sitting or voting in Parliament.

XXXI. *Stat. 4 G. c. 9. Stat. 1.* The Preamble recites the three preceding Acts, viz. 1 G. c. 24. and c. 35. and 3 G. c. 17. Reciting farther, That whereas in Pursuance of the last of the said Acts, his Majesty did, under the Great Seal, grant his Commission for the Purposes aforesaid, to *Grey Newlle, John Plumptre, Leonard Smelt Esqrs; Sir William Gordon, Sir Thomas Palmer, Baronets; Robert Briflow and William Yonge Esqrs;* which Commissioners have made considerable Progress in the Mat-

ters to them referred, but not perfected the same: Therefore enacted, That the said *Grey Neville, &c.* or any four or more of them, be hereby constituted Commissioners, for taking, &c. all and every the Accounts, &c. in the said Acts mentioned, which the Commissioners respectively were by the said Acts enabled to take, &c. and have not been taken; &c. by them. And that the said Acts, and every Clause, Matter and Thing therein contained, or in any other Act relating thereunto, and not hereby altered, shall be revived and continued in Force, to all Intents and Purposes whatsoever, from the 9th of *March, 1717*, to the 10th of *March, 1718*; and shall be executed with all the Powers therein contained, by the Commissioners herein named, or any four or more of them.

XXXII. *Seff. 2.* The same Clause *verbatim* as in the Act of 1 G. c. 24. *Seff. 5.* relating to the Oath the Commissioners are to take, (*quod vide supra*, Par. V.) except that at the End of the Oath these Words are added, *viz. And to examine and state the Demands of several foreign Princes and States, for Subsidies, during the late War.*

XXXIII. *Seff. 3.* The like Clause as in the said Act 1 G. c. 24: which see above. Par. XI.

XXXIV. *Seff. 4.* The like Clause as above, Par. XII.

XXXV. *Seff. 5.* The like Clause as above, Par. X.

XXXVI. *Seff. 6.* Whereas in and since the Year 1713, several Regiments in *Great Britain* and *Flanders* were transferred from the *British* to the *Irish* Establishment, but timely Care was not taken to reduce the said Regiments to the Numbers on the *Irish* Establishment; nor any Provision made for their Transportation to that Kingdom, so that they remain'd for some Time at a higher Complement and Pay than the Establishment of *Ireland* did admit of; which said Excess, together with the Charge of Transportation, fell a Charge on the Pay of the Officers of those Regiments: Therefore the Commissioners are impowered to determine the Amount of the said Excess and Charge of Transportation, and to certify the same to the proper Paymaster, who shall make out Debentures to the Parties concerned, to be satisfy'd in the Manner prescribed by this and former Acts made in that Behalf.

XXXVII. *Seff. 7.* And whereas on the 9th of *December, 1712*, the late Queen granted a Warrant to stop from several Regiments the full Pay of one Man per Troop and Company from the respective Times of their last Clearings, and to pay the Money to the Receiver of the Fund for the Support of Officers Widows, in Order to make good a Deficiency in the said Fund, and to increase it for the Future: But for many of the said Regiments the Commissary General of the Musters had no Orders to allow on the Muster-Rolls a fictitious Name per Troop and Company, as has been always usual in like Cases from

from the respective Times of the Regiments being then last cleared, until the 24th of *June*, 1712; by Means whereof the Pay of one Man *per Troop* and Company is become a Charge on the Pay of the several Captains for the said Time; and whereas the Design of the said Warrant might be more fully answered without such Stoppage; therefore enacted, That the Commissioners may give Relief to the said Regiments in their respective Accounts, for so much as by the said Warrant they stand charged with before the said 24th of *June*, 1712.

XXXVIII. *Seß. 8.* All Debentures made out, or to be made out, by any Paymaster, in Pursuance of any Certificate of the Commissioners by Virtue of this or any other Act for stating, &c. shall carry Interest after the Rate of four *per Cent. per Annum*, to commence from the 24th of *June*, 1717, payable out of the said Fund; and in like Manner as the Debentures issued by Vertue of the Act of the last Session of this Parliament, for stating, &c. are or shall be payable.

XXXIX. *Seß. 9.* And whereas Demands are made by several foreign Princes and States for Arrears of Pay and Subsidy, incurred before his Majesty's Accession to the Crown, which Demands, so far as they relate to Subsidies, the Commissioners are not impowered to state; nor for any Pay claimed after the 6th of *July*, 1712, to those Troops which continued with the Army of the Allies, and separated themselves from the late Duke of *Ormond*; enacted therefore that the Commissioners be impowered to state the said Demands for Subsidy and Pay, and to report a State thereof to the King, and to both Houses of Parliament at the next Session.

XL. *Seß. 10.* The Commissioners shall not proceed to state any other of the said Demands than such as his Majesty shall have signified to them by Warrant under his Sign Manual, that he thinks it expedient, should be stated.

XLI. *Stat. 5 G. c. 14.* The first Part of this Act appoints the same Commissioners as in the last foregoing Act, and revives and continues the preceding Acts of the 1st, 2d, 3d, and 4th of the King, and every Clause, Matter and Thing therein contained, and not hereby alter'd, from the 9th of *March*, 1718, to the 10th of *March*, 1719.

XLII. *Seß. 7.* The Commissioners, or any four or more of them, are impowered to make out Certificates for the Sum of 1544 *l. 9 s. and 2 d. 3 q.* or for so much thereof as was remaining of the Off-reckonings of Lieutenant-General *Harvey's* Regiment of Horse, when put on the *Irish* Establishment, after all preceding Assignments are discharged, towards satisfying *Henry Cornish* and *John Heylyn*, their Executors, &c. for their
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Contract for Clothing, if the Facts shall appear to the Commissioners to be as by them stated.

XLIII. *Stat.* 8. The Commissioners are impowered to determine all Differences between Colonels and Clothiers, or their respective Executors, &c. in the same Manner as they are authorized by the preceding Acts, to determine Disputes between Officers, Agents, &c. Provided the said Differences between Colonels and Clothiers be concerning Contracts for Clothing, or Assignments of Off-reckonings for satisfying the same; upon which Contracts there shall be claimed any Sums of Money, as remaining due from the Government: And the Commissioners shall, under their Hands, certify their Determinations to the Parties concerned, who shall recover the Sums so certify'd in like Manner as by the preceding Acts is prescribed for the Relief of Officers, Agents, &c. in the Disputes between them.

XLIV. *Stat.* 9. Whereas by the Act 3 G. 2. 17. all Certificates are to be directed to the respective Paymasters, and the said Paymasters are to issue out Debentures accordingly: And whereas the said Powers and Directions as to Certificates and Debentures are continued by the Act 4 G. 2. 9. and that several Inconveniencies have arisen and may arise, by Reason of the Multiplicity of Persons to whom Certificates have been or shall be directed, and by whom Debentures have been or shall be issued in Pursuance thereof; therefore enacted, That all Certificates, by Vertue of this Act, shall be directed to James Earl of Cornwall, late Paymaster of her Majesty's Forces, or to such Persons as the Treasury shall appoint; and the said Earl or his Deputy, or the said Persons so appointed by the Treasury, shall issue Debentures accordingly, as well for such Sums as have become due to the respective Claimants during the said Earl's being Paymaster, as for any Time before or since.

XLV. *Stat.* 10. If any Person shall alter or counterfeit, or knowingly or fraudulently make out any such Debenture, other than for such Sums as shall have been certified by the Commissioners, he shall be adjudged a Felon, and suffer Death, without Benefit of Clergy.

XLVI. *Stat.* 11. The Commissioners are impowered to determine and certify the Debts due to the Officers, who continued to serve in *America*, after they were reduced to Half-pay, to Full-pay for their Service, according to the Commissions they then had, to the Time they were placed on the *Placensis* Establishment, or till the Arrival of the late Queen's Orders at *Boston* for their Disbandment.

XLVII. *Stat.* 12. But the Commissioners shall not proceed to determine the last mentioned Debts, till they have reported the

the same to the King, and received his Majesty's Warrant for the same; in like Manner as is directed in this and the former Acts, where Establishments or Warrants are wanting.

XLVIII. Sect. 13. The Commissioners are impowered to state, determine and certify, pursuant to several Treaties or Conventions, or Parliamentary Provision, the Demands of the States General for Pay, &c. furnished by them after the 6th of July, 1712, to the Forces of divers foreign Princes, which were either in Part or wholly in the Pay of *Great Britain*, and continued with the Confederate Army after the said 6th of July, when the Separation was made by the late Duke of Ormond, in the same Manner as they may state, &c. the Debts due to the Army; and upon their Certificates the late Paymaster-General, or his Deputy, shall make out Debentures; for which the Person so making them out shall be accountable to the King, his Heirs and Successors.

XLIX. Sect. 14. Provided, That the Commissioners, after they have examined any of those Demands, shall make Report to the King of all Allowances by them placed to the Credit of the States-General and foreign Princes; and shall not finally determine thereon, till they have received his Majesty's Pleasure under the Sign Manual, and counter-sign'd by three or more Commissioners of the Treasury, or Lord High Treasurer for the Time being.

LI. Sect. 16. It shall be lawful for the Commissioners to state, determine, and make out Certificates to the General Officers who served in *Flanders* the Campaign 1712, for the six Months Pay granted them by Parliament from *Christmas*, 1712.

Anglesea.

I. Stat. 1 G. c. 26. Sect. 7. Whereas by an Act made 2 E. 6. it was enacted, That as well the Great Sessions of the County of *Anglesea*, as every Shire and County-Day, and Sessions of the Peace, shall be kept within the Town of *Banbury*, and not elsewhere: Nevertheless it is hereby enacted, That the Justices of Peace of the said County, may adjourn the Quarter-Sessions from Time to Time, to any other Part of the said County, as to them shall seem meet, for the Ease of such as shall be obliged to take the Oaths to his Majesty, his Heirs and Successors; and to and for no other Purpose whatsoever.

Annuities.

I. Stat. 1 G. c. 19. *Seff. 1.* The Preamble recites so much of the Act 1 G. c. 12. as relates to Annuities, (*which see in Bank of England*) and then it is enacted, That the yearly Sum of 45500 *l.* Part of the yearly Sum of 54600 *l.* (*mentioned in the said recited Act*) is and shall be a distinct and separate Fund for answering and paying Annuities, after the Rate of 5 *l.* per Cent. per Annum, to be purchased upon this Act, by quarterly Payments, until redeemed by Parliament.

II. *Seff. 2.* All Officers, Cashiers, &c. concerned in raising, receiving or accounting for the several Duties out of which the said yearly Sum of 45500 *l.* Part of the said yearly Sum of 54600 *l.* is to be supplied, or any of them, in separating, paying, &c. the said yearly Sum of 54600 *l.* or any Part thereof, shall perform the Duties to them appertaining, under the like Penalties, &c. for any Offence or Neglect therein, as are prescribed to be inflicted by the Act 9 W. 3. c. 44. for settling the Trade to the *East-Indies*, for the like Offences relating to the Duties thereby granted.

III. *Seff. 3.* After *Michaelmas*, 1715, the said yearly Sum of 45500 *l.* shall be the entire yearly Fund; and if all the Monies arising into the Exchequer, shall not amount to so much as the said Sum, then the Money so arising, shall, so far as it will extend, be Part of the yearly Fund for answering the said Annuities, after the Rate of five per Cent. per Annum; and whatever Deficiencies shall appear at the End of any one Year, shall be supplied from Time to Time out of the first Aid to be granted in Parliament next after such Deficiency shall appear, and shall be transferred thereunto as soon as the said Aid shall be granted.

IV. *Seff. 4.* All the Monies by this or the said recited Act required to be brought into the Exchequer, on Account of the said yearly Sum of 54600 *l.* shall be enter'd in one or more Books, in the Offices of the Auditor of the Receipt and Clerk of the Pells, to which all Persons concerned shall have free Access without Fee or Charge.

V. *Seff. 5.* It shall be lawful for any Persons, Natives or Foreigners, Bodies Politick or Corporate, to pay to the chief Cashier of the Bank of England, at or before the respective Days by this Act limited in that Behalf, any Sum not exceeding 910,000 *l.* for the Purchase of Annuities, to commence from *Michaelmas*, 1715, and to be paid to such Contributors, or such as they shall nominate, their Executors, &c. until redeemed according to the Tenour of the *Proviso* herein-after mentioned in that Behalf; so as such Cashier do first give Security

curity to the Treasury, for duly paying into the Exchequer the Sums so to be advanced, and to account for the same; which Annuities shall be computed at $5\text{ l. per Cent. per Annum}$, for every 100 l. and proportionably for any greater Sum. The Purchase-Money shall be paid to the said Cashier at the Times following, *v.z.* One fifth Part thereof on or before the 29th of September, 1715; one other fifth Part on or before the 29th of November then next following; one other fifth Part on or before the 28th of January then next ensuing; one other fifth Part on or before the 29th of March then next following; and the remaining fifth Part on or before the 29th of May, 1716. All the said Annuities shall not exceed the Sum of 45500 l. *per Annum*; and shall be paid at the four most usual Feasts in the Year, *viz.* *Christmas, Lady-Day, Midsummer and Michaelmas*, by equal Portions; or within six Days after every of the said Feasts; the first Payment to be due at *Christmas, 1715*, or within six Days after: Nevertheless the said Annuities shall be redeemable according to the Purport of a *Proviso* herein-after contained, and not otherwise: The said Cashier shall upon the receiving of any such Sum or Sums, forthwith give a Receipt to the Contributor or Payer thereof, and shall pay the same into the Exchequer within five Days at the farthest; and shall account in the Court of Exchequer for all the Monies so to be advanced to him; in which Account he shall have just Allowance of all Monies he shall have paid for prompt Payments pursuant to this A^t.

VI. *Sec.* 6. The Names of the Contributors, as also of the Persons by whose Hands they shall pay the Money, and the Sums so paid, shall be fairly enter'd in a Book, to be kept in the Office of the Accountant-General of the Bank of England; to which Book the Contributors may resort at reasonable Times, and inspect the same without Fee or Charge. And the said Accountant-General shall, on or before the 24th of June, 1716, transmit an attested Duplicate of the said Book into the Office of the Auditor of the Receipt of the Exchequer, there to remain for ever.

VII. *Sec.* 7. All the Annuities so to be purchased as aforesaid, shall be paid out of the Monies arising on the said yearly Fund of 45500 l. or out of other Provisions to be made in Pursuance of this A^t for the Payment thereof: And every Contributor duly paying his Purchase-Money, at the Rate and Times by this A^t limited in that Behalf, or such Person as he shall appoint, his Executors, &c. shall be entitled to have and enjoy his Annuity so to be purchased as aforesaid, and shall have a good and sure Estate therein for ever, subject only to the *Proviso* of Redemption in this A^t contained: And all the said Annuities, and principal Monies paid for them, shall be free from all Taxes.

VIII. *Sec.* 8.

VIII. *Sec. 8.* The Bank of *England* shall appoint and employ one sufficient Person to be their chief Cashier, and one other fit Person to be their Accountant-General; and all the Monies set apart in the Exchequer, on Account of the said yearly Fund of 54600 *l.* shall by Order of the Treasury, without any farther Warrant, be issued and paid quarterly to the said chief Cashier, by Way of Imprest, and upon Account, for Payment of the said Annuities to be purchased upon this Act; And every such Cashier to whom the said Money shall be issued, shall without Delay pay the same accordingly, and render his Accounts thereof according to the due Course of the Exchequer.

IX. *Sec. 9.* The said Accountant-General shall from Time to Time inspect the Receipts and Payments of the said Cashier, in Order to prevent any Fraud or Delay: And all Persons entitled to the said Annuities, and all lawfully claiming under them, shall be possessed thereof as of a personal Estate, which shall not be descendible to the Heir, nor liable to any foreign Attachment by the Custom of *London*, or otherwise.

X. *Sec. 10.* Every Contributor, who shall advance to the said Cashier, within the Times limited by this Act, the Purchase-Money for any Annuity or Annuities, his Executors, &c. shall be allowed out of the Contribution-Money arising by this Act, Interest after the Rate of 8 *l.* per Cent. per Annum, for prompt Payment of the Purchase-Money, or of such Proportions thereof as shall be so advanced before the 29th of September, 1715; the said Interest to be computed from the Time of the actual advancing the same to the said Cashier, until the said 29th of September, 1715.

XI. *Sec. 11.* All the Monies to be advanced upon this Act towards the Sum of 910,000 *l.* shall be taken to be one capital or joint Stock, on which the said Annuities shall be attending; and all Persons and Corporations, in Proportion to the Sums by them advanced, shall be deemed to have Shares in the said Stock, and in the proportional Annuities attending the same, for the respective Sums so by them advanced; and the said joint Stock shall be assignable as this Act directs; and the said chief Accountant shall keep a Book in his Office, wherein all Assignments shall be enter'd in proper Words, and signed by the Parties making such Assignments, or in their Absence, by their Attorneys, by Writing under Hand and Seal, to be attested by two or more Witnesses; and the Persons to whom such Transfer shall be made, shall under-write their Acceptance thereof; and no other Method of Assigning shall be good in Law.

XII. *Sec. 12.* Any Person possessed of such Stock, may devise the same by Will in Writing, attested by two or more Witnesses; but such Devisees shall receive no Payment thereupon,

upon, till so much of the Will as relates to the Stock be entered in the said Office: And in Default of such Transfer or Devise, the said Stock shall go to the Executors, &c. And no Stamp-Duties shall be chargeable on the said Transfers.

XIII. *Señ. 13.* All Persons who shall accept any Stock from any Contributor, who shall have paid only Part of the Contribution-Money, shall be liable to pay the Residue thereof, and to such Forfeitures for Non-payment, as the original Contributor would have been liable to, if no such Transfer had been made.

XIV. *Señ. 14.* No Person shall be admitted to purchase any of the Annuities upon this Act, unless the whole or one fifth Part of the Consideration-Money be paid to the said Cashier, on or before the 29th of September, 1715.

XV. *Señ. 15.* If any Contributor, who shall on or before the 29th of September, 1715, have advanced one fifth Part of his Purchase-Money, or his Executors, &c. do not advance one other fifth Part of the Consideration-Money, on or before the 29th of November then next ensuing; and one other fifth Part on or before the 28th of January then next coming; one other fifth Part on or before the 29th of March then next following; and the remaining fifth Part on or before the 29th of May, 1716; then so much of the Consideration-Money as shall have been actually paid for the first Payment, shall be forfeited for the Benefit of the Publick; and no Interest shall be payable for the same.

XVI. *Señ. 16.* The Governor and Company of the Bank of England, and their Successors, shall, notwithstanding the Redemption of all or any their own Funds, in Pursuance of the Acts for establishing the same, continue a Corporation, with all the Powers, &c. thereunto belonging, for the Purposes in this Act, till all the Annuities to be purchased on the same, shall be redeemed by Parliament: And the said Governor and Company, or any Member thereof, shall not incur any Disability for doing any Thing in Pursuance of this Act.

XVII. *Señ. 17.* No Fee or Gratuity shall be demanded or taken for receiving or paying the said Contribution-Money, nor for any Talleys or other Receipts concerning the same, nor for issuing the said yearly Fund, nor for paying the Annuities, nor for any Transfer to be made in Pursuance of this Act; on Forfeiture of 20 *l.* to the Party grieved, to be recovered with full Costs in any of the Courts at *Westminster*.

XVIII. *Señ. 18.* Provided, That upon one Year's Notice, and Repayment by Parliament of the 910,000 *l.* or so much thereof as shall be advanced upon this Act, to the respective Contributors, or to such Persons as shall under them be intitled to the said Annuities; and also upon Payment of all Arrears thereof: Then, and not till then, the said Annuities shall

cease and determine; and from thenceforth so much of the aggregate Fund, and of the particular Duties chargeable with the said Annuities, as the same shall amount unto, shall be understood to be redeemed by Parliament; but without prejudicing any other of the yearly Sums by this or any other Act charged on the said aggregate Fund, or particular Duties that shall then remain to be satisfied out of the same.

XIX. *Stat. 10.* The Commissioners of the Treasury, or High Treasurer, for the Time being, shall have Power to allow to the said chief Cashier a Sum not exceeding 500 *l.* out of the Contribution-Money of 910000 *l.* as aforesaid, for his Pains, and Charges in receiving and accounting for the same; and shall also have Power, (out of the Remainder of the said yearly Sum of 54600 *l.* over and above what shall be sufficient to discharge the Annuities) to allow the said Cashier a Salary not exceeding 250 *l. per Annum*, for receiving and paying the Annuities; and a Salary not exceeding 200 *l. per Annum*, to the said Accountant-General for his Service in performing the Trust incumbent on him by this Act.

XX. *Stat. 1 G. c. 21. Part inde. Sect. 11.* reciting, That whereas by the Act next foregoing, the yearly Sum of 45500 *l.* Part of the yearly Sum of 54600 *l.* therein mentioned, is enacted to be a separate Fund for paying Annuities after the Rate of 5 *l. per Cent. per Annum*, until redeemed by Parliament: Now for the Encouragement of such as shall be willing to advance any farther Sum, not exceeding 169,000 *l.* for purchasing Annuities at the said Rate, to be settled upon the yearly Sum of 8450 *l.* other Part of the said yearly Sum of 54600 *l.* in the Manner herein after mentioned, it is enacted, That the said yearly Sum of 8450 *l.* shall be a distinct Fund, and be applied for paying the Annuities at 5 *per Cent. per Annum*, to be purchased upon this Act, by quarterly Payments, (until redeemed by Parliament) under the same Penalties, &c. for any Offence or Neglect, touching the said Fund of 8450 *l. per Annum*, or the Payments to be made out of the same, as are by the said Act to be incurred for the like Offences, &c. in Relation to the said yearly Fund of 45500 *l.* or to the Payments charged thereupon.

XXI. *Sect. 12.* After the 29th of September, 1715, the said yearly Sum of 8450 *l.* other Part of the said yearly Sum of 54600 *l.* arising in the Exchequer, shall be the entire yearly Fund: And if the Moneys arising into the Exchequer shall not amount in any one Year to 8450 *l.* above the said yearly Sum of 45500 *l.* then the Moneys arising shall, as far as they will extend, be Part of the yearly Sum for paying all the Annuities at 5 *per Cent per Annum*, to be purchased upon this Act: And all the Deficiencies of the said yearly Sum of

upon, till so much of the Will as relates to the Stock be entered in the said Office: And in Default of such Transfer or Devise, the said Stock shall go to the Executors, &c. And no Stamp-Duties shall be chargeable on the said Transfers.

XIII. *Señ. 13.* All Persons who shall accept any Stock from any Contributor, who shall have paid only Part of the Contribution-Money, shall be liable to pay the Residue thereof, and to such Forfeitures for Non-payment, as the original Contributor would have been liable to, if no such Transfer had been made.

XIV. *Señ. 14.* No Person shall be admitted to purchase any of the Annuities upon this Act, unless the whole or one fifth Part of the Consideration-Money be paid to the said Cashier, on or before the 29th of September, 1715.

XV. *Señ. 15.* If any Contributor, who shall on or before the 29th of September, 1715, have advanced one fifth Part of his Purchase-Money, or his Executors, &c. do not advance one other fifth Part of the Consideration-Money, on or before the 29th of November then next ensuing; and one other fifth Part on or before the 28th of January then next coming; one other fifth Part on or before the 29th of March then next following; and the remaining fifth Part on or before the 29th of May, 1716; then so much of the Consideration-Money as shall have been actually paid for the first Payment, shall be forfeited for the Benefit of the Publick; and no Interest shall be payable for the same.

XVI. *Señ. 16.* The Governor and Company of the Bank of England, and their Successors, shall, notwithstanding the Redemption of all or any their own Funds, in Pursuance of the Acts for establishing the same, continue a Corporation, with all the Powers, &c. thereunto belonging, for the Purposes in this Act, till all the Annuities to be purchased on the same, shall be redeemed by Parliament: And the said Governor and Company, or any Member thereof, shall not incur any Disability for doing any Thing in Pursuance of this Act.

XVII. *Señ. 17.* No Fee or Gratuity shall be demanded or taken for receiving or paying the said Contribution-Money, nor for any Talleys or other Receipts concerning the same, nor for issuing the said yearly Fund, nor for paying the Annuities, nor for any Transfer to be made in Pursuance of this Act; on Forfeiture of 20 l. to the Party grieved, to be recovered with full Costs in any of the Courts at Westminster.

XVIII. *Señ. 18.* Provided, That upon one Year's Notice, and Repayment by Parliament of the 910,000 l. or so much thereof as shall be advanced upon this Act, to the respective Contributors, or to such Persons as shall under them be intitled to the said Annuities; and also upon Payment of all Arrears thereof: Then, and not till then, the said Annuities shall

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cease and determine; and from thenceforth so much of the aggregate Fund, and of the particular Duties chargeable with the said Annuities, as the same shall amount unto, shall be understood to be redeemed by Parliament; but without prejudicing any other of the yearly Sums by this or any other Act charged on the said aggregate Fund, or particular Duties that shall then remain to be satisfied out of the same.

XIX. *Stat. 10.* The Commissioners of the Treasury, or High Treasurer, for the Time being, shall have Power to allow to the said chief Cashier a Sum not exceeding 500*l.* out of the Contribution-Money of 910000*l.* as aforesaid, for his Pains, and Charges in receiving and accounting for the same; and shall also have Power, (out of the Remainder of the said yearly Sum of 54600*l.* over and above what shall be sufficient to discharge the Annuities) to allow the said Cashier a Salary not exceeding 250*l. per Annum*, for receiving and paying the Annuities; and a Salary not exceeding 200*l. per Annum*, to the said Accountant-General for his Service in performing the Trust incumbent on him by this Act.

XX. *Stat. 1 G. c. 21. Pars inde. Sect. 11.* reciting, That whereas by the Act next foregoing, the yearly Sum of 45500*l.* Part of the yearly Sum of 54600*l.* therein mentioned, is enacted to be a separate Fund for paying Annuities after the Rate of 5*l. per Cent. per Annum*, until redeemed by Parliament: Now for the Encouragement of such as shall be willing to advance any farther Sum, not exceeding 169,000*l.* for purchasing Annuities at the said Rate, to be settled upon the yearly Sum of 8450*l.* other Part of the said yearly Sum of 54600*l.* in the Manner herein after mentioned, it is enacted, That the said yearly Sum of 8450*l.* shall be a distinct Fund, and be applied for paying the Annuities at 5 *per Cent. per Annum*, to be purchased upon this Act, by quarterly Payments, (until redeemed by Parliament) under the same Penalties, &c. for any Offence or Neglect, touching the said Fund of 8450*l. per Annum*, or the Payments to be made out of the same, as are by the said Act to be incurred for the like Offences, &c. in Relation to the said yearly Fund of 45500*l.* or to the Payments charged thereupon.

XXI. *Sect. 12.* After the 29th of September, 1715, the said yearly Sum of 8450*l.* other Part of the said yearly Sum of 54600*l.* arising in the Exchequer, shall be the entire yearly Fund: And if the Moneys arising into the Exchequer shall not amount in any one Year to 8450*l.* above the said yearly Sum of 45500*l.* then the Moneys arising shall, as far as they will extend, be Part of the yearly Sum for paying all the Annuities at 5 *per Cent per Annum*, to be purchased upon this Act: And all the Deficiencies of the said yearly Sum of

8450*l.* shall be supplied out of the first Aids to be granted by Parliament, and shall be transferred thereunto, as soon as such Aids shall be granted.

The other Clauses in this Act relating to Annuities, are exactly the same, and conceived in the same Words, *mutatis mutandis*, as in the preceding Act, (*which see above from Paragraph V. to the End of the Act*) except only that the Treasury shall allow the Cashier, who shall receive the Contribution-Money, only 100*l.* out of the said Money, and a Salary of 100*l.* *per Annum*; and the like Salary to the Accountant-General: Except also the following Clause.

XXII. *Stat. 27.* Every Person who hath contributed any Sum upon the said former Act for an Annuity, after the Rate of 5 *per Cent. per Annum*; and hath paid to the Cashier the Whole, or one fifth, or any greater Part of the same; and every Person who shall advance any Sum upon this or the said former Act for the like Annuity, and shall, on or before the 29th of September, 1715, pay to the Cashier the Whole, &c. of such Contribution-Money, shall, over and above all other Encouragements, by this or the said former Act given, be repaid out of any Monies in the Hands of the said Cashier, arisen or to arise by Contributions, not only an additional Allowance of 20*s.* *per Cent.* but also so much as another additional Allowance after the Rate of 5 *l.* *per Cent. per Annum*, shall amount unto, to be computed upon every Sum advanced before the Days limited in this or the said former Act, (the first Payment excepted) from the Time of actual Payment thereof until the respective Days when the same would become due.

XXIII. *Stat. 1 G. c. 36. Stat. 16.* In Case any Annuities, whereon the Reversions were or shall be purchased, have not, or shall not be demanded at the Exchequer within two Years next after the same did or shall become payable; and in case Certificates of the Lives of any Nominees have not been or shall not be produced to the Officers of the Exchequer, or sufficient Proof made thereof, according to the Rules prescribed by former Acts, within two Years after the said Annuities have or shall become payable, then such Nominees shall be taken to be dead; and the Persons that have purchased, or shall hereafter purchase, such Reversions, shall receive the Annuities, till such Certificate shall be produced, or Proof made, and shall not be accountable for such Part of the Annuities as they shall actually have received for Default of such Certificate or Proof.

XXIV. *Stat. 3 G. c. 7.* Whereas by the Act 9 A. c. 6. several Customs or Duties upon several Commodities to be exported, were revived and continued from the 8th of March,

1710,

1710, during the Term of thirty-two Years from thence next ensuing; and a Duty of 12 *d.* per hundred Weight was thereby imposed upon the Exportation of Leather, &c. during the said Term: And it was thereby enacted, that several Duties, and none other, should be payable for all Coals that should be exported during the said Term; and certain Duties were laid upon all Coals, Culm, and Cinders, to be water-born and carried Coast-wise, and upon all Coals to be imported from foreign Parts; and that during the said Term of thirty-two Years, to be computed from the 25th of *March*, 1711, there should be paid for all Candles imported or made in *Great Britain*, the further Duties therein mentioned: And it was thereby farther enacted, That all the Monies, which during the Term of thirty-two Years, to be reckoned from the said 8th of *March*, 1710, should arise from an hereditary Duty of one per Cent. chargeable on Goods exported in certain Ships to the *Mediterranean-Sea*, and from another hereditary Duty formerly imposed on white woollen Clothes, should be liable and are thereby appropriated towards making good a certain Fund of 135000 *l.* per *Annum*, thereby settled during the Term of thirty-two Years, which commenced the 25th of *March*, 1711, for Payment of the principal Sums therein after mentioned, amounting in the Whole to 1,928,570 *l.* with Interest for the same, after the Rate of 6 per Cent. per *Annum*, to such Persons as should advance the Sum of 1,500,000 *l.* for carrying on the then War: And it was thereby also enacted, That the Surplus of the Moneys arising by the Duties granted by that Act yearly, (over and above the said yearly Sum of 135000 *l.*) should be applied towards discharging the principal Monies payable by Vertue of that Act. And whereas by the Act 9 *A.* c. 10. For establishing a general Post-Office, &c. it was enacted, That after the 29th of *September*, 1711, the weekly Sum of 700 *l.* should, during the Term of thirty-two Years, be paid into the Exchequer: And by the Act 9 *A.* c. 11. several Duties were laid upon such Hides, Vellom and Parchment, as are therein specified, for the Term of thirty-two Years, reckoned from the 24th of *June*, 1711: And by the Act 9 *A.* c. 23. a Power was given to license such Persons as after the 24th of *June*, 1715, should, within the Term of thirty-two Years, drive or keep any Hackney-Coach in *London* or *Westminster*, or within the weekly Bills of Mortality, reserving upon every such License, the weekly Sum of 5 *s.* to be paid monthly; and a Power was thereby given for licensing all such Hackney-Chairs, as after the 24th of *June*, 1711, during the Term of thirty-two Years, should be kept within the Limits aforesaid, reserving upon every such License the annual Sum of 10 *s.* to be paid quarterly: And it was thereby enacted, That throughout *Great Britain* there should be paid several Duties

for Vellom, Parchment and Paper, whereon several Things should be engrossed, &c. during the Term of thirty-two Years, to be computed from the 1st of *August*, 1711; and that from the 11th of *June*, 1711, for thirty-two Years, there should be paid for all Cards and Dice, which should be made in, or imported into *Great Britain*, the Duties therein mentioned, and that during the like Term, there should be paid a certain Duty upon Rock-Salt, exported from *Great Britain* to *Ireland*: And by the last mentioned Act it was farther enacted, That yearly during thirty-two Years (which commenced from the 29th of *September*, 1711) the Sum of 186,670*l.* out of the Monies to arise of the said weekly Sum of 700*l.* out of the Revenues of the Post-Office, or out of all the Monies to arise of the said Duties on Hides, Vellom, &c. and by the said Licenses for Hackney-Coaches and Chairs, and by the said particular Duties on stamp'd Vellom, &c. and upon Cards and Dice, and upon the Exportation of Rock Salt for *Ireland*, should be a yearly Fund for paying the principal Sums thereby appointed to be paid, amounting to 23602,200*l.* with Interest at 6 *per Cent. per Annum*, to such Persons as should advance the Sum of 2,000,000*l.* for the Service of the then War. And whereas by certain Clauses in the Act 9 *A. c. 19.* a Power was given to license an additional Number of Hackney-Chairs, not exceeding 100, which after the 24th of *June*, 1712 during the Term of thirty-two Years, should be kept for Hire within the Cities and Limits aforesaid, reserving upon each License the like yearly Rent of 10*s.* payable quarterly, which Rents are thereby added to the said Fund for Payment of the Principal and Interest last mentioned. And whereas by the said Act of 10 *A. c. 19.* it was enacted, That there should be paid for all Sope, which during the Term of thirty-two Years from the 10th of *June*, 1712, should be imported into, or made in *Great Britain*, the respective Duties therein specified; and for all Paper, &c. and all Books, &c. which during thirty-two Years from the 24th of *June*, 1712, should be imported into *Great Britain*, several Duties therein expressed; and for all Paper, &c. which during the said Term should be made in *Great Britain*, several Duties therein also expressed; and upon all chequered, &c. Linens, printed or died in any foreign Parts, which during the Term of thirty-two Years, from the 20th of *July*, 1712, should be imported into *Great Britain*, a Duty of 15*l. per Cent. ad valorem*; and upon all Silks, Callicoes, &c. which during the said Term should be printed, &c. in *Great Britain*, several Duties therein expressed; and for the several Things therein mentioned, which during the Term of thirty-two Years, from the 1st of *August*, 1712, should be ingrossed, printed or written, the several Duties therein specified: And it was thereby enacted, That

That yearly, during thirty-two Years, which commenced from the 29th of September, 1712, the Sum of 168,003 l. out of the Monies by that Act granted, should be a yearly Fund for paying off the principal Sums therein mentioned, amounting to 2,341,740 l. with Interest at 6 per Cent per Annum, to such Persons as should advance 1,800,000 l. for carrying on the then War. And whereas by the Act 10 A. 26. it was enacted, That there should be paid for such Skins, &c. and for such made Wares therein prescribed, as during the Term of thirty-two Years, from the 1st of August, 1712, should be imported into, or tanned, &c. in Great Britain, the additional Duties therein expressed; and upon all Vellom, &c. which during the same Term should be made in, or imported into Great Britain, such additional Duties as are therein specify'd; and upon all Sarch, which during the said Term should be imported into or made in Great Britain, the respective Duties therein mentioned; and upon all Coffee, Tea, and Drugs, (except as therein excepted) which during the Term of thirty two Years, from the 16th of June, 1712, should be imported into Great Britain, the new Duties therein expressed; and upon all gilt and silver Wire, which during the said Term, to be reckoned from the 1st of July, 1712, should be imported into, or made in Great Britain, the respective Duties therein mentioned; and upon every Policy of Assurance, which during the said Term, to be computed from the 1st of August, 1712, should be enter'd into within London and Westminster, or within the weekly Bills of Mortality, an additional Duty therein expressed: And it was thereby enacted, That yearly during the Term of thirty-two Years, from the 29th of September, 1712, the Sum of 168,003 l. out of the several Duties by that Act granted, should be a yearly Fund for paying off the principal Sums therein mentioned, amounting to 2,341,990 l. with Interest at 6 per Cent per Annum, to such Persons as should advance the Sum of 1,800,000 l. for Her Majesty's Supply. And whereas it was provided by the said recited Acts, that all Deficiencies of the said yearly Funds should be made good out of the next Aids to be granted by Parliament: And the said late Queen was by the same Acts authorized to appoint Managers or Directors, who were thereby directed to prepare Lottery-Tickets, and cause them to be drawn; and to transmit into the Office of the Auditor of the Receipt of the Exchequer, Books containing the Names, &c. of the Persons who should be entitled to such fortunate Lots as are therein set down; which Persons, their Ex-cutors, &c. should receive in Course out of the respective Funds the principal Monies which should be enter'd in such Books for them respectively, and the Interest thereof, by such Payments as in the said Acts are prescribed; and that

the other Adventurers, not having fortunate Lots, their Executors, &c. should receive out of the said Funds, in Course, such principal Monies and Interest, as by the said Lottery-Acts respectively were prescribed; and the same Acts directed that the said Tickets should be exchanged for standing Orders, which Orders should be register'd and assignable; and that during the said several Terms, (unless the Principal and Interest were sooner paid off) the said Duties should be applied for answering the said Principal and Interest: And in the said Lottery Acts are several Clauses importing, That if before the End of the thirty-two Years, all the Principal and Interest should be fully discharged, or sufficient Money be reserved in the Exchequer for Payment thereof; in such Case the Duties should cease, or be disposable by Parliament. And whereas the said several Sums of 1,500,000 *l.* 2,000,000 *l.* 1,800,000 *l.* and 1,800,000 *l.* were advanced for the publick Service, and the Tickets thereby directed were made forth and drawn, and Books were transmitted into the Exchequer by the said Directors; and the said several Sums of 1,928,570 *l.* 2,602,200 *l.* 2,341,740 *l.* and 2,341,990 *l.* became payable as Principal Money, with Interest at the Rate of 6 *per Cent. per Annum*, to the several Adventurers, and standing Orders have been, or are to be, made forth for the same: And whereas several Sums, amounting to 1,666,070 *l.* (Part of the said principal Sum of 1,928,570 *l.*) and 2,525,970 *l.* (Part of the said principal Sum of 2,341,740 *l.*) and 2,312,065 *l.* (Part of the said principal Sum of 2,341,990 *l.*) do, on the 4th of March, 1716, remain unsatisfied, and amount in the Whole to 8,762,625 *l.* carrying Interest at the Rate of 6 *per Cent.* And whereas by the Act 12 *W. 3. c. 12* it was enacted, That in Discharge of certain perpetual annual Payments, granted by Charles II. by Letters Patent, out of the hereditary Revenue of Excise, in Satisfaction of certain Sums due from his said Majesty to the Patentees therein named, the said hereditary Revenue of Excise, should, after the 26th of December, 1705, be chargeable for ever with the Payment of annual Sums after the Rate of 3 *per Cent. per Annum*, for the principal Sums mentioned in the said Letters Patents, to be paid out of the said Revenue by quarterly Payments to the respective Proprietors of the said annual Sums, their Heirs and Assigns for ever, without Fee or Charge; the said annual Sums to be subject nevertheless to Redemption upon Payment of a Moiety of the principal Sums mentioned in the said Letters Patents: And in Pursuance of an Act 2 *A.* the respective Proprietors ought to have standing Orders for the quarterly Payment of the last mentioned Annuities, until Redemption as aforesaid, free from all Taxes; and whereas the Sums mentioned in the said Letters Patents, did amount to

to 1,328,562 *l.* and the Moiety thereof, for which the said annual Sums are redeemable, doth amount to 664,263 *l.* and the said annual Sums, after the Rate of 3 *per Cent.* do amount to 339,855 *l.* 15 *s.* 7 *d.* and one fifth Part of a Penny *per Annum*, which is equal to 6 *per Cent. per Annum*, for the said Sum of 664,263 *l.* And whereas since the Making of the several above recited Acts Interest for Money is much lessened, so that it is become just and reasonable that the Publick should have the Benefit of redeeming the said several Duties and Revenues charged with the said Lottery-Orders so remaining unsatisfy'd; as also of redeeming the said annual Sums payable out of the hereditary Excise. And whereas the Proprietors of the said Lottery-Orders may desire to accept, in Discharge thereof, Annuities after the Rate of 5 *per Cent. per Annum*, redeemable by Parliament, and the Proprietors of the said annual Sums chargeable on the said hereditary Excise, may also desire to accept, in Lieu thereof, Annuities after the said Rate, to be computed only upon one Moiety of their principal Sums, by Payment of which, after the Rate of 3 *per Cent. per Annum*, their annual Payments were formerly made redeemable: And several of the Proprietors of the said Lottery-Orders may desire to have their principal and Interest due thereon, satisfied in ready Money; and several of the Proprietors of the said annual Sums payable out of the hereditary Excise, may be desirous to have the Moiety of their Principal Monies, paid in ready Money; and several Persons or Corporations may be willing to advance ready Money for the Purposes aforesaid, and for the Purposes in this Act mentioned, so as they may have such Annuities, as are herein after expressed, secured to them, until Redemption by Parliament; now to the End a sufficient Fund may be established for Payment of all the Annuities, which shall be payable in Pursuance of this Act; it is enacted, That all such or the like Customs, Subsidies, Impositions, additional Impositions, Rates, Duties, additional Rates and Duties, and all proportional Parts of any new Duties, and all Revenues and weekly or other Payments out of any Duties which were granted or imposed by the said several recited Acts, or by any other Act now in Force, for such several Terms of Years as are therein mentioned, towards the Payment of the said several Funds of 135,002 *l. per Annum*, and 186,670 *l. per Annum*, 168,003 *l. per Annum*, and 168,003 *l. per Annum*, or towards the Payment of the Principal and Interest on the said Lottery-Orders, or towards paying the said annual Sums amounting to 339,855 *l.* 15 *s.* 7 *d.* and one fifth Part of a Penny *per Annum*, (except as in the said Acts is excepted, and except such of the said Duties as are since taken away by Act of Parliament) shall continue and be paid to his Majesty, his Heirs and Successors for ever, for the Purposes in this Act directed;

rested; and such of the Hereditary Duties, mentioned in the said former Acts, as during the Terms of Years therein expressed, were appropriated for Payment of the said yearly Sums, shall also be continued to his Majesty, his Heirs and Successors for ever, for the Purposes in this Act prescribed; and all the Powers which by the said former Act were vested in her late Majesty, or such Commissioners, or others, as she should appoint, for granting Licenses, or doing other Things, in Order to raise the Duties hereby intended to be made perpetual, shall be revived and vested in his Majesty, his Heirs, &c. and his and their Commissioners, in the same Manner, for raising the same Duties for the Purposes in this Act directed: And all other Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Disabilities, Clauses, Matters and Things whatsoever, contained in the said former Acts, now being in Force, for raising, collecting, &c. the said Customs, Subsidies, &c. out of any Duties granted for such respective Terms of Years as aforesaid, (except as before excepted) shall be revived and for ever continued and put in Execution for raising, collecting, &c. the said Customs, Subsidies, &c. by this Act intended to be made perpetual, for the Purposes by this Act directed, as fully and effectually as if the same Powers, &c. were at large repeated, and re-enacted in the Body of this Act; any Thing in the former Acts to the contrary notwithstanding: Nevertheless the said Customs, Subsidies, &c. by this Act intended to be made perpetual, shall be subject to such Powers of Redemption, as are hereafter in this Act contained.

XXV. *Stat. 2.* All the Monies arising of the said Customs, Subsidies, &c. (except the necessary Charges of raising, collecting, &c.) shall from Time to Time be brought into the Exchequer, and be there entered in Books, to be kept for that Purpose, in the Offices of the Auditor of the Receipt, and Clerk of the Pells; to which Books all Persons concerned shall have free Access without Fee or Charge.

XXVI. *Stat. 3.* All the Monies, which after the 29th of September, 1717, shall be brought into the Exchequer, or be remaining there of the said Customs, Subsidies, &c. (except the necessary Charges of issuing and applying the said Monies) are hereby appropriated, and shall be apply'd for the Payment of such Annuities as shall be payable by Verrue of this Act, and for making such other Payments as are hereby directed, in due Order and Form, and with such Preferences, and liable to such Redemptions, as are by this Act prescribed, and without any Fee or Charge to be demanded of or paid by the respective Persons or Corporations who are to receive the said Monies; and the Officers of the Exchequer, who shall delay Payment, or misapply any of the said Monies, shall for such Offence be forejudged from their respective Offices, and

and render'd incapable to serve his Majesty, his Heirs or Successors, in any Office of Trust or Profit whatsoever, and shall also be liable to pay double the Value of any Sum so delay'd or misapply'd, to the Party griev'd, to be recovered by Action of Debt or upon the Case, in any Court of Record at Westminster, wherein no Essoin, Protection, Wager of Law, or more than one Imparance shall be allowed.

XXVII. *Stat. 4.* Whereas the said yearly Sums of 135,000 *l.* 186,670 *l.* 168,603 *l.* 168,003 *l.* and 639,855 *l.* 15 *s.* 7 *d.* and one fifth Part of a Penny, adding thereto the above-mention'd Surplus of the Duties granted by the first above recited Act of 5 *l.* (which Surplus was thereby made applicable towards discharging the principal Monies payable by Vertue of this Act, and *communibus annis* hath amounted to 527,317 *l.* 11 *s.* 3 *d.* *per Annum*) amount in the Whole to 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny *per Annum*; now enacted, That yearly from Michaelmas, 1717, and from thenceforth for ever, (subject nevertheless to the Powers of Redemption in this Act hereafter contained) the Sum of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny, out of the Monies arising of the said Customs, Subsidies, &c. by this Act directed to be brought into the Exchequer, in Case the same shall extend to the said Sum of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny *per Annum*, shall be computed a general yearly Fund; and if all the Monies so arising into the Exchequer, of the said Customs, Subsidies, &c. shall not amount to the said Sum of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny, then the Monies so arising shall be Part of the said general yearly Fund of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny *per Annum*, for paying all the Annuities by this Act chargeable thereupon; and in Case any Deficiency shall happen in the Monies by this Act appropriated, so as within any one Year, to be reckoned as aforesaid, the said Monies so arising in the Exchequer, of the said Customs, Subsidies, &c. shall not amount to the Sum of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny, then so much as shall be wanting to make up the said Sum for every or any such Year, shall be supply'd out of the first Aid to be granted in Parliament next after such Deficiency shall appear, and shall be transferred thereto as soon as granted.

XXVIII. *Stat. 5.* The Commissioners of the Treasury, or High Treasurer, for the Time being, are authorized, by Writing under their Hands, to appoint such and so many able and fit Persons as they shall think fit, to be Managers or Directors, for preparing Books, overseeing the Subscriptions to be taken therein, and for doing such other Matters as are by this Act appointed to be done by them: And the said Managers or Directors shall, according to such Directions as they shall receive from the Treasury, prepare and open Books at some publick

lick Office or Offices (whereof Notice shall be affixed in Writing upon the *Royal-Exchange* in *London*, and inserted in the *London Gazette*) for taking Subscriptions, pursuant to and within the Time limited by this Act.

XXIX. *Sec.* 6. Provided, That the Treasury may cause the said Books to be opened for receiving Subscriptions relating to all the said yearly Funds of 135,000 *l.* 186,670 *l.* 168,003 *l.* 168,003 *l.* and 329,855 *l.* 15 *s.* 7 *d.* and one fifth Part of a Penny, or such or so many of them at a Time, as they shall find most conducive to the publick Service.

XXX. *Sec.* 7. The said Books shall lie open at seasonable Hours; and the Proprietors of the said Lottery-Orders and annual Sums payable out of the hereditary Excise, or such Persons as are empowered to subscribe for them, shall have free Access thereto, and Liberty to make their Subscriptions therein without Fee or Charge; and such and so many of the said Managers as shall be thereto constituted, shall attend and Oversee the said Subscriptions till the 29th of September, 1717, unless the Subscriptions be sooner completed.

XXXI. *Sec.* 8. Such Persons or Corporations, being Proprietors of such Lottery-Orders, who, in Lieu thereof shall be willing to accept Annuities at 5 per Cent. per Annum, and such Proprietors of the said annual Sums charged on the hereditary Excise, who shall in like Manner be willing to accept the like Annuities, to be computed only upon one Moiety of their principal Sums, may, either by themselves or by such Persons as they shall authorize in Writing in that Behalf, declare such their Desire or Option under a proper Preface in the Books to be open'd, as aforesaid, for that Purpose, by subscribing their Names and Places of Abode, with other proper Additions within the Time before-mentioned: And such Proprietors of the said Lottery-Orders as shall desire to have their Principal and Interest paid them in ready Money, and such Proprietors of the said annual Sums charged on the hereditary Excise as shall likewise desire to have the said Moiety of their principal Sums, (for which they are redeemable as aforesaid) paid to them in ready Money, may by themselves or such Persons as they shall authorize in that Behalf, declare such their Desire by subscribing their Names, &c. as above.

XXXII. *Sec.* 9. All Executors, Administrators, Guardians and Trustees, may make such Subscriptions in the said Books, either to have Annuities or ready Money, on Behalf of their Testators, Intestates, or of Infants, Minors, Females covert, or others, for whom they are intrusted, and shall by this Act be indemnified for so doing.

XXXIII. *Sec.* 10. The said Managers shall on or before the last Day of *October*, 1717, deliver the said Books, with all the Subscriptions therein (such Books being first attested under the

the Hands and Seals of two or more of the Managers) to the Auditor of the Receipt of the Exchequer, to remain in his Office for ever; and shall also on or before the last Day of November, 1717, deliver a Duplicate, attested as aforesaid, of so much of the said Books as shall contain the Subscriptions of those who shall choose the said Annuities at 5 *per Cent. per Annum*, to the chief Cashier of the Bank of England, and a like Duplicate to their Accountant-General: And the Commissioners of the Treasury, or High Treasurer for the Time being, shall, before the 25th of December, 1717, cause the proper Officers to transmit Lists, attested by such Officers, to the said Chief Cashier and Accountant General of the Bank of England, of all such Lottery-Orders and annual Sums charged on the Excise, for which no Subscriptions shall be made within the Time before limited; and the said Duplicates and Lists shall remain in the respective Offices of the said Cashier and Accountant-General for the Time being, for their better Guidance in making the Payments and Accounts, of and for the same Annuities.

XXXIV. *Sett. 11.* The said Accountant-General shall, upon reasonable Demand, deliver *gratis* to the Proprietors of the said Lottery-Orders, and of the said annual Sums charged on the hereditary Excise, being specified in the said Duplicates or Lists, to be transmitted into his Office as aforesaid, or to the Assigns of such Proprietors, a Certificate thereof to be grounded on the said Duplicates and Lists, so as the Lottery-Order, or the Order charged on the Excise, be at the same Time delivered to the said Accountant-General, to be cancelled and made void; but all the said Lottery-Orders so cancelled, shall be preserved by the said Accountant-General, and any Person may have Recourse to the same without Fee or Reward; and the same, or attested Copies thereof, may be given in Evidence in any Court of Law or Equity.

XXXV. *Sett. 12.* The Proprietors of the said Lottery Orders, and of the said Annuities charged on the Excise, by whom such Subscriptions shall be made within the Time before limited, signifying their Willingness to accept such Annuities in Lieu thereof; and all other Proprietors of the said Lottery-Orders charged on the yearly Funds before-mentioned; and all the Proprietors of the said annual Sums chargeable on the hereditary Excise, and the Executors, &c. of all the said Proprietors (such Proprietors of the said Lottery Orders or annual Sums of 3 *per Cent. per Annum*, as by such Subscriptions shall choose to be paid in ready Money, always excepted) shall be entitled by this Act to have and receive Annuities after the Rate of 5 *per Cent. per Annum*, of lawful Money of Great Britain, in Lieu and Discharge of such their Lottery-Orders, for so much as shall be unpaid of Principal

Principal and Interest, at *Michaelmas*, 1717, inclusively, and shall be computed on the said Orders charged on the hereditary Excise, for so much as the said Moieties of the principal Sums, and the Arrears of the said annual Sums of 3 *l. per Cent. per Annum*, shall at *Michaelmas*, 1717, amount unto: And all the said Annuities, after the Rate of 3 *l. per Cent. per Annum*, are hereby charged upon, and shall be paid out of the Monies of the said general Fund of 724,849 *l. 6s. 10d.* and one fifth Part of a Penny *per Annum*, by this Act established as aforesaid, by quarterly Payments, at *Christmas*, *Lady-day*, *Midsummer* and *Michaelmas*, by equal Portions, or within six Days after every the said Feast-Days, for ever, or until Redemption according to the Provisoes herein after contain'd in that Behalf.

XXXVI. *Seß. 13.* All Arrears of Interest, that may happen to be due to some of the said Subscribers, until and for the Quarter ending at *Midsummer*, 1717, inclusively, (although some of them are payable at other Feast-Days) shall be paid out of the Moneys of the said yearly Funds, arisen or to arise at any Time before *Michaelmas*, 1717, without being converted into an Annuity, as aforesaid.

XXXVII. *Seß. 14.* Whereas the *South-Sea Company* are obliged by an Act of this Session of Parliament, to advance and pay into the Exchequer, such Sums of Money, not exceeding two Millions, at such Times and by such Proportions as the Treasury shall call for, on or before the 24th of *December*, 1717: It is hereby enacted, That the said Sum of two Millions, or so much thereof as shall be called for, and actually paid by the said Company into the Exchequer, shall, without any farther Warrant to be sued for, or had in that Behalf, be issued and applied by the Treasury, for and towards the several Uses and Purposes herein after appointed concerning the same, *viz.* for or towards the paying off the principal Monies charged on the said Lottery-Funds, or any of them, and the Interest for the same, until the Payment of the said Principal to the respective Proprietors thereof, who shall choose to be paid in ready Money; and for or towards the paying off the said Moieties of the said principal Sums, (upon Payment whereof the said Sums after the Rate of 3 *l. per Cent. per Annum*, were formerly made redeemable) and all Arrears which shall be due upon the said yearly Sums, after the Rate of 3 *l. per Cent. per Annum*, computing the same by the Day, until the said Moieties shall be paid to the Proprietors thereof, who shall also choose to be paid in ready Money, as aforesaid, or for or towards some of the said Uses and Purposes which shall require Payment in ready Money as aforesaid; and to and for no other Use or Purpose whatsoever: And the said *South-Sea Company* and their Successors, for all and every Sum and Sums of Money so to be called for, and by them actually advanced

at the Exchequer, shall have and enjoy such Annuities, after the Rate of 5 *l. per Cent per Annum*, redeemable by Parliament, out of such Duties and Revenues, or by such other Ways and Means, and in such Manner and Form, as by the said other Act of this Session are settled for securing and paying the same.

XXXVIII. *Seff.* 18. Whereas by another Act of this Session the Bank of *England* are obliged to advance and pay into the Exchequer such Sums of Money, not exceeding 2,500,000 *l.* at such Times and by such Proportions as the Treasury shall call for, on or before the 25th of *March*, 1718: Now enacted, That the said Sum of 2,500,000 *l.* or so much thereof as shall be called for, and actually paid into the Exchequer by the said Bank, shall, without any farther Warrant to be had in that Behalf, be issued by the Treasury, and apply'd towards the paying off the said principal Monies charged on the said Lottery Funds, and the said Interest for the same, until Payment of the Principal to the Proprietors thereof, who shall choose to be paid in ready Money, as aforesaid; and for or towards paying off the said Moieties of the said principal Sums, upon Payment whereof the said Sums are redeemable, as aforesaid, and all Arrears that shall be due for the said yearly Sums of 3 *l. per Cent per Annum*, until the said Moieties shall be paid off to such Proprietors thereof, as shall choose to be paid in ready Money, as aforesaid; and for paying off such Debts and Deficiencies, as are hereafter by this Act intended to be provided for; and to no other Use or Purpose whatsoever.

XXXIX. *Seff.* 16. Whereas it cannot be known at the making of this Act how much Money will be wanted to satisfy such Proprietors as shall choose to be paid in ready Money; and it may be necessary to raise Monies, over and above what shall have been advanced by the said Companies upon such Calls as aforesaid: Therefore it is enacted, That in such Case the Treasury may at any Time before or after the 29th of *September*, 1717, issue Warrants to the proper Officers in the Receipt of the Exchequer, for receiving into the said Receipt, such Sums of Money as any Persons will advance for purchasing Annuities at the Rate of 5 *l. per Cent per Annum*, to be paid out of the general Fund by this Act established, and to be redeemable by Parliament: And the Treasury are hereby authorized and required to issue and apply all the Monies so to be advanced, for paying off the Principal and Interest on the said Lottery Orders, and the said Moieties and Arrearages of the said annual Payments of 3 *l. per Cent per Annum*, charged on the hereditary Excise, and to and for no other Use whatsoever.

XL. *Seß.* 17. Provided, That all the Monies so to be advanced for purchasing such Annuities, together with the Monies that shall have been advanced by the said Companies, exceed not in the Whole the Sum total, which shall be payable to such Subscribers for ready Money.

XLI. *Seß.* 18. In all Cases where the Principal and Interest on the said Lottery Orders, or the said Moieties of the principal Sums for which the said annual Payments are charged on the hereditary Excise, shall be converted into Annuities, or paid off in ready Money, the Customs, Subsidies, &c. formerly charged therewith, shall be freed from the same, and be liable towards making good the general yearly Fund, by this Act intended to be established.

XLII. *Seß.* 19. Whereas the Sum of 661,707 *l.* 3 *s.* 2 *d.* of principal Monies, remains unsatisfy'd on the Register of Loans, founded on the Act for Duties on Low Wines, &c. which expired the 24th of June, 1714. carrying Interest at 6 *l.* per Cent. per Annum; now to put an End to the same high Interest, it is enacted, That it may be lawful for the Treasury to issue Warrants to the proper Officers to take in at the Receipt of the Exchequer, such farther Sums of Money as any Persons will advance for purchasing Annuities at a Rate not exceeding 5 *l.* per Cent. per Annum, to be paid out of the general Fund by this Act established, redeemable by Parliament. And the Treasury, or the Under Treasurer of the Exchequer, are authorized to issue and apply all the Monies so to be advanced towards paying off the unsatisfy'd Principal and Interest upon the said Register of Loans, taking Care that the Monies advanced exceed not the Principal and Interest remaining due on the said Register.

XLIII. *Seß.* 20. Whereas 314,219 *l.* 11 *s.* 2 *d.* 1 *q.* of principal Monies remains unsatisfy'd upon the Register of Loans founded on the Act for Duties on Candles, which expired the 1st of May, 1715, carrying Interest at 6 *l.* per Cent. per Annum; now to put an End to such high Interest, it is enacted, That the Treasury may issue Warrants to the proper Officers for taking in at the Receipt of the Exchequer, such farther Sums as any Persons will advance for purchasing Annuities at 5 *l.* per Cent. per Annum, to be paid out of the general Fund established by this Act: And the Treasurer or Under Treasurer of the Exchequer, are required to issue and apply all the Monies so advanced, towards paying off the unsatisfy'd Principal and Interest upon the Register of Loans founded on the said Candle-Act, taking Care that the Monies advanced exceed not the Principal and Interest due on the said Register.

XLIV. *Seß.* 21. Whereas the Sum of 577,014 *l.* 16 *s.* 1 *d.* 1 *q.* is deficient to make good the Supplies granted the last Session;

Session (of which 334,239 *l.* 9 *s.* 1 *d.* 3 *q.* is to be applied towards discharging the Debt of the Navy, as it stood on the 31st of December, 1716.) Now for the better preserving the publick Credit, and ceasing such Interest as is payable for any Part of the said Deficiency, it is enacted, That the Treasury may issue Warrants to the proper Officers for taking in at the Receipt of the Exchequer such farther Sums, not exceeding 577,014 *l.* 16 *s.* 1 *d.* 1 *q.* as any Persons will advance for purchasing Annuities at a Rate not exceeding 4 *l.* per Cent. per Annum, to be paid out of the general Fund by this Act established, and to be redeemable by Parliament: And the Treasury, or the Under-Treasurer of the Exchequer, are hereby authorized and required to issue and apply the said Monies not exceeding 577,014 *l.* 16 *s.* 1 *d.* 1 *q.* so to be advanced, for the Use of the publick in the said Office of the Navy, and other publick Offices that are deficient of their Supplies granted the last Session of Parliament.

XLV. *Seff.* 22. The Treasury may issue Warrants to the proper Officers in the Receipt of the Exchequer, for taking in at the said Receipt such farther Sums, not exceeding 024,195 *l.* 11 *s.* 2 *d.* (which Sum remains unsatisfy'd upon several Bills of Exchange drawn for the Service of the late Expedition to Canada) as any Persons will advance for purchasing Annuities after a Rate not exceeding 4 *l.* per Cent. per Annum, to be paid out of the said general Fund and be redeemable by Parliament. And the Treasury, or Under-Treasurer of the Exchequer for the Time being, are required to issue the said Monies, not exceeding 024,195 *l.* 11 *s.* 2 *d.* so to be advanced, by Way of Imprest and upon Account, for satisfying the said Bills of Exchange; and the proper Officers for paying the said Bills are enjoined to take Care that the Drawers be duly charged with the Monies for which they are drawn, or such of the said Monies as shall not be duly accounted for before such Payment of the said Bills.

XLVI. *Seff.* 23. As soon as ready Money shall be advanced to pay off all the principal Sums and Interest, by this Act intended to be paid off, publick Notice in Writing shall be set up at the Exchequer, and advertized in the *London Gazette*; and the ready Money so advanced shall be kept in Bank at the Exchequer for the Persons entitled thereto; but from the Time of such Notice given, the Interest shall cease.

XLVII. *Seff.* 24. All Persons who shall advance any Sums for purchasing Annuities at the respective Rates aforesaid, shall receive from the proper Officers, Talleys of *sol.* for the Money so advanced; and all such Persons, their Executors, &c. shall, for every Sum so advanced, be intitled to have Annuities, after the Rate to be specify'd in the Warrants of the Treasury, so as the same do not exceed the respective Rates by this

this Act prescribed, and in such Warrants to be expressed as aforesaid, out of the Monies of the said general Fund of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny per Annum, by this Act established as aforesaid; and the said Annuities shall be paid in the Manner following, *viz.* The first Payment shall be computed by the Day, and satisfy'd from the respective Days on which the Monies shall be advanced into the Exchequer, until the quarterly Feast-Day then next ensuing; and from thenceforth the same Annuities shall be paid at the four most usual Feasts in the Year, by equal Portions, until redeemed by Parliament.

XLVIII. *Sec.* 25. Books shall be kept in the Office of the Accountant-General of the Bank of England, in which shall be enter'd the Names of all Persons who shall be entitled to the said Annuities, after the Rate of 5 *l.* per Cent. per Annum, in Discharge of such Lottery-Orders and annual Payments out of the Excise, as aforesaid; and the Names of all such Persons, who upon producing to the said Controller [Qu. if it should not be Accountant] the said Talleys of *Sol.* shall appear to be entitled to the said Annuities to be purchased at the several Rates aforesaid, for Monies by them advanced into the Exchequer in Pursuance of this Act; and the several Annuities to which the said Persons shall be so entitled; to which Books all Persons concerned shall have free Access, and may inspect the same without Fee or Charge: And the said Accountant-General shall, before the 25th of December, 1717, transmit an attested Duplicate of the said Books fairly written on Paper, into the Office of the Auditor of the Receipt of the Exchequer, there to remain for ever.

XLIX. *Sec.* 26. The respective Proprietors, who are to have the several Annuities pursuant to this Act, their Executors, &c. shall have sure Estates therein for ever, subject to the Proviso of Redemption in this Act contained, and to no former Proviso whatsoever.

L. *Sec.* 27. All the said Annuities and the principal Sums for which they are payable, shall be free from all Taxes and Impositions whatsoever.

LI. *Sec.* 28. The Bank of England shall, from Time to Time, until the Redemption of the said Annuities, appoint one sufficient Person to be their Chief Cashier, and another to be their Accountant-General, within their Office in London: And so much of the Monies of the said general yearly Fund of 724,849 *l.* 6 *s.* 2 *d.* and one fifth Part of a Penny, as shall be sufficient to discharge the Sums which shall from Time to Time grow due upon all the Annuities by this Act appointed, shall, by Order of the Treasury and Under-Treasurer of the Exchequer, without any farther Warrant to be had in that Behalf, be quarterly issued and paid at the Exchequer to the said

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first Cashier of the Bank, by Way of Imprest and upon Account, for the Payment of the said Annuities, at such Times and in such Manner as are by this Act prescribed, with Preference to all other Payments which may hereafter be charged on the said general Fund, or upon the said Duties liable to make good the same, until the Redemption of the said Annuities according to this Act. And the said Cashier, to whom the said Monies shall from Time to Time be issued, shall without Delay pay the same accordingly, and render his Account thereof according to the Course of the Exchequer. And the said Accountant-General shall from Time to Time inspect the said Receipts and Payments of the said Cashier, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence or Delay. And all Persons who shall be entitled to any of the same Annuities, and all claiming under them, shall be possessed thereof as of a personal Estate, which shall not be descendable to the Heir, nor liable to any foreign Attachment; Any Law or Custom to the contrary notwithstanding.

LII. *Sec.* 29. All the principal Monies, for which the said Annuities shall be payable, shall be deemed to be one capital or joint Stock, on which the said Annuities shall be attending; and all Persons, in Proportion to their several Annuities, shall have a Share in such Stock; and all such Shares shall be assignable, transferrable and deviseable in the same Manner as is prescribed in the Act 1 G. 2. 19. (*quod vide supra*) and no Stamp-Duties shall be chargeable on such Transfers: And the Bank of England, (notwithstanding the Redemption of all or any their own Annuities in Pursuance of the Acts for establishing the same,) shall continue a Corporation, relating only to the receiving and paying the said Annuities, till the same be redeemed by Parliament: And no Member of the Bank shall incur any Disability for doing any Thing in Pursuance of this Act.

LIII. *Sec.* 30. No Fee or Gratuity shall be demanded or taken of any Person for receiving or paying such Monies as shall be advanced at the Exchequer for the Purposes aforesaid, nor for any Talleys, nor for issuing the said general Fund of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny *per Annum*, nor for paying the said Annuities, nor for any Transfer of any Stock; on Pain that the Person offending shall forfeit 20 *l.* to the Party grieved, to be recovered with full Costs in any Court at *Westminster*.

LIV. *Sec.* 31. The Treasury may pay out of the Monies arising of the said general yearly Fund, such Salaries as they shall think reasonable, to the said Managers, Cashier and Accountant-General; and may likewise allow all other Charges for Books, Under-Clerks, and other Things necessarily incident to the Execution of this Act.

LV. *Señ. 32.* The Interest after the Rate of 4 $\frac{1}{2}$ per Cent. payable from the 24th of June, 1712, on the Debentures order'd to be made forth by an Act of this Session, for raising and determining Debts due to the Army, shall be paid out of the Monies of the said general Fund by this Act established and shall be imprest to the Paymaster of the Forces for that Purpose.

LVI. *Señ. 33.* Provided, That at any Time upon Notice to be given at the Bank of England, by Authority of Parliament, at any of the quarterly Feast-Days for Payment of the said Annuities, and upon Repayment of the principal Sums for which the Annuities shall be payable, to such Persons as shall be entitled to the said Annuities, and also upon full Payment of all Arrears of the said Annuities, then, and not till then, the same Annuities shall cease and determine.

LVII. *Señ. 34.* If at any Time Notice shall be given at any of the said quarterly Feast-Days, by Authority of Parliament, for Redemption of the said Annuities by this Act payable as aforesaid; and if Payment after such Notice given be made by Parliament to the Persons who shall be then entitled to the said Annuities, of any Sum (not being less than 500,000 £ to all the Proprietors at a Time) in Part of the principal Sums for which the said Annuities shall be payable as aforesaid; and also if Payment be made of all Arrearages then due to them, or so much of those Arrearages as shall bear a Proportion to the principal Monies remaining unsatisfy'd, being computed till the Time of every such Payment of Part of the Principal; then, after every Payment so made, so much of the said Annuities as shall bear Proportion to the Monies so paid in Part of the said Principal, shall cease and be abated.

LVIII. *Señ. 35.* Any Vote or Resolution of the House of Commons, signify'd by their Speaker in Writing, to be deliver'd at the Bank of England, shall be deemed to be sufficient Notice within the Words and Meaning of this Act.

LIX. *Señ. 36.* The Excess or Surplus, which, at the End of any Quarter, (reckoning the Quarters to end at the four most usual Feast-Days before-mentioned) shall be produced by the Customs, Subsidies, &c. by this Act appropriated to make good the said general yearly Fund of 724,849 £ 6 s . 10 d . and one fifth Part of a Penny, over and above so much as will make good the same; and so much of the same general yearly Fund, as at the End of any Quarter shall remain in the Exchequer, over and above all the Monies then due to discharge the several Annuities by this Act directed to be satisfy'd out of the same, shall from Time to Time attend the Disposition of Parliament, and be apply'd accordingly.

LX. *Señ. 37.* All the Monies to arise from Time to Time, as well of the Excess or Surplus by Virtue of an Act made this

this Session for redeeming the Funds of the Bank of England, and of the Excess or Surplus by Virtue of one other Act made likewise this Session, for redeeming the Funds of the South-Sea Company, as also of the Excess or Surplus of the Duties and Revenues by this Act appropriated as aforesaid, and the overplus Monies of the said general yearly Fund by this Act established, shall be appropriated to the Discharging the Principal and Interest of such national Debts as were incurred before the 25th of December, 1716, and are declared to be national Debts, and not provided for by Parliament, in such Manner as shall be directed by any future Act, and to or for no other Use whatsoever.

LXI. *Stat. 41.* A Clause for appropriating all the Monies granted this Session of Parliament. [See the Act at large.]

LXII. *Stat. 42.* Provided, That no Appropriation in this Act contained, shall hinder any Payments which, in Pursuance of the Act 1 G. c. 21. intituled, *An Act for enlarging the capital Stock and yearly Fund of the South-Sea Company*, &c. are required to be made by the Treasurer of the Navy for the Time being, or by any other Persons to be intrusted with the publick Monies for the Service of the Navy, out of such publick Monies, Talleys, &c. in their Hands respectively, as are thereby chargeable to make good any Deficiency to the South-Sea Company.

LXIV. *Stat. 43.* Provided, also, That such Sums as, by any other Act of this Session shall be payable to any Commissioners for stating the Debts due to the Army, for their Salaries, or for their Clerks, or other incident Charges, may be paid out of the Aids aforesaid, or any of them.

LXIV. *Stat. 4 G. c. 10. Sect. 1.* After Christmas, 1717, all the Annuities made payable by the last preceding Act of 3 G. c. 7. are hereby charged upon, and shall from Time to Time be paid out of the Monies of the said general Fund of 724,849 l. 6 s. 10 d. and one fifth Part of a Penny per Annum, by half-yearly Payments, viz. at Midsummer and Christmas, by equal Portions, or within six Days after, for ever, or till Redemption thereof, according to the Provisoes in that Act contained, any Thing in the said Act to the contrary notwithstanding.

LXV. *Sect. 2.* So much of the said general yearly Fund, established by the Act 3 G. c. 7. as shall be sufficient to satisfy the Sums due for the Interest or Annuities after the Rate of 4 l. per Cent. per Annum, upon the Debentures, which, by the Act 3 G. c. 17. intituled, *An Act to enable his Majesty to appoint Commissioners to take, examine, state and determine the Debts due to the Army*, [which see in title Accounts, Par. XVII.] the respective Paymasters were required to make out to the Officers, En-

gineers, Gunners, &c. to whom the said Commissioners should certify Monies to be due, shall be, from Time to Time by half-yearly Payments, issued to the Cashier of the Bank of England for the Time being, by Way of Imprest, and upon Account, for Payment thereof, till the Redemption of the principal Sums specify'd in the said Debentures; and such Cashier shall, from Time to Time, half-yearly, apply the same for Payment of such Annuities, and render his Accounts thereof in the Exchequer; and the Accountant-General of the said Bank, shall, from Time to Time, inspect the Receipts and Payments of the said Cashier, touching the said Interest or Annuities, and all the Vouchers relating thereto.

LXVI. *Sec. 3.* The respective Paymasters, who shall have made forth the said Debentures, shall certify to the said Cashier and Accountant-General, what Debentures have been so made forth; which Certificates shall be enter'd in a Book, to remain in the Offices of the said Cashier and Accountant-General, for their better Guidance in making the Payments and Accounts of the same Annuities; and the said Accountant-General shall, upon Demand, deliver *gratis* to the Proprietors of the said Debentures, or their Assigns, a Certificate thereof, so as every such Debenture be delivered up to the said Accountant-General to be cancelled; and the Proprietors of the said Debentures, their Executors, &c. shall be entitled to the said Interest in Nature of Annuities, at the Rate of 4 *l.* *per Cent. per Annum*, from the 24th of June, 1717, to be due by half-yearly Payments as aforesaid, out of the Money of the said general Fund; and the same Annuities shall be deemed personal Estates and free from Taxes; and the principal Sums of the said Debentures shall be made capital Stock, and be transferrable or deviseable; and the said Rate of 4 *l.* *per Cent. per Annum*, shall be redeemable in the said Manner as is prescribed touching the other principal Sums above-mentioned.

LXVII. *Sec. 4.* So much of the said general Fund as shall be sufficient to satisfy the Sums due on the several Annuities before mention'd, shall, from Time to Time, half-yearly, at the Feasts aforesaid, (and not sooner) be paid at the Exchequer to the Cashier of the Bank for the Time being, by Way of Imprest, and upon Account, for Payment of the said Annuities.

LXVIII. *Sec. 5.* Provided, That the said Annuities, or a proportionable Part thereof, shall still be subject to such Redemption as is prescribed by the Act 3 G. 2. 7. upon Notice to be given at any of the said quarterly Feast-Days, and such Payments as are therein-mentioned, as if this Act had never been made.

Artificers.

I. Stat. 5 G. c. 27. Sect. 1. If any Person shall contract with, entice, or solicit any Artificer in Wool, Iron, Steel, Brass, or any other Metal, Clock-maker, Watch-maker, or any other Artificer of *Great Britain*, to go out of this Kingdom into foreign Countries out of the King's Dominions, and shall be lawfully convicted thereof, upon Indictment or Information, in any of the Courts at *Westminster*, or at the Assises or Quarter-Sessions for any County, &c. the Person so convicted shall be fined any Sum not exceeding 100*l.* for the first Offence, at the Discretion of the Court where the Conviction shall be, and shall be imprisoned for three Months, and till the Fine be paid: And if any Person having been once convicted shall offend again, and be convicted a second Time of the like Offence, he shall be fined at the Discretion of the Court, and be imprisoned twelve Months, and till the Fine be paid.

II. Sect. 2. No Person shall be prosecuted for any of the said Offences, unless the Prosecution be begun within twelve Months after the Offence committed.

III. Sect. 3. If any of the King's Subjects, being such Artificers, shall, after the 1st of *May*, 1719, go into any Country, out of his Majesty's Dominions, there to exercise or teach any of the said Trades to Foreigners; and if any of the King's Subjects who now are, or hereafter shall be, in any such foreign Country, and there exercising any of the said Trades, shall not return into this Realm within six Months after Warning given them by the Ambassador, Envoy, Resident, Minister, or Consul of the Crown of *Great Britain*, in the Country where such Artificers shall be; or by any Person authorized by such Ambassador, &c. or by one of the Secretaries of State, and from thenceforth continually inhabit within this Realm, every such Person shall be incapable of taking any Legacy, or of being an Executor or Administrator, and of taking any Lands, &c. within this Kingdom, by Descent, Devise or Purchase, and also shall forfeit all their Lands, Goods, &c. within this Kingdom, to his Majesty's Use, and shall be deemed Aliens, and be out of his Majesty's Protection.

IV. Sect. 4. After the said 1st of *May*, 1719, upon Complaint made upon Oath before any Justice of the Peace, that any Person is endeavouring to seduce any such Artificer, or that any such Artificer hath contracted, or is preparing to go out of his Majesty's Dominions, for any the Purposes aforesaid; in such Case any Justice of the Peace to whom such Complaint shall be made, may send his Warrant to bring the Person complain'd of before him, or before some other Justice,

and if it shall appear to such Justice, by the Oath of one or more credible Witnesses, or by Confession of the Party, that he was guilty of any the said Offences, such Justice may bind the Person so charged to appear at the next Assizes or General Quarter-Sessions, to answer the Premises, with reasonable Sureties for his Appearance; and if such Person shall refuse to give such Security, the Justice may commit him to the County-Gaol, there to be kept till the next Assizes or Quarter-Sessions, and until he shall be delivered by due Course of Law: And if any such Artificer shall be convicted upon an Indictment to be preferred against him, of any such Promise, Contract or Preparation to go beyond the Seas for any the Purposes aforesaid, the Person so convicted shall give such Security to the King not to depart out of his Majesty's Dominions, as such Court shall think reasonable; and shall be imprisoned till such Security given.

V. Stat. 5. If any of the above Offences shall be committed in Scotland, the same shall be prosecuted in the Court of Justiciary, or the Circuits there.

Attainder.

I. Stat. 1 G. c. 16. Sect. 1. Enacted, That if Henry Viscount Bolingbroke shall not render himself to the Usher of the Black-Rod, or to the Constable or Lieutenant of the Tower of London, in Order to his Trial in Parliament, at or before the 10th of September next ensuing, and also abide his Trial for the Treasons, &c. whereof he stands impeached by the Commons of Great Britain, then the said Henry Viscount Bolingbroke, not rendering himself, &c. shall stand attainted of High Treason, and shall suffer and forfeit as a Person so attainted ought to do by the Laws of the Land.

II. Stat. 1 G. c. 17. Sect. 1. The like Act for the Attainder of James Duke of Ormonde, unless he render himself to Justice by the same Day.

III. Stat. 1 G. c. 32. Sect. 1. Enacted, That after the 19th of January, 1715, John Earl of Mar, William Murray Esq; commonly called Marquess of Tullibardine, eldest Son and Heir apparent of John Duke of Athol, James Earl of Lutlishgow, and James Drummond Esq; commonly called Lord Drummond, eldest Son and Heir apparent of the Earl of Perth, and every of them, shall stand and be convicted and attainted of High Treason, and shall suffer Pains of Death, and incur all Forfeitures, as Traitors convicted and attainted of High Treason.

IV. Stat.

IV. Stat. 1 G. 1. c. 43. *Stat. 1.* Whereas *George Earl of Marischall, William Earl of Seaforth, James Earl of Southesk, James Earl of Panmure, William Viscount of Kilsyth, James Viscount of Kingsbarns, Robert Lord Burleigh, Kenneth Lord Duffus, James Ogilvie, commonly called Lord Ogilvie, William Sutherland, Laird of Roscommon, Brother to Lord Duffus, Lieutenant General George Hamilton, Major General Thomas Gordon Laird of Aibintawel, Colonel John Hay, Son of the Earl of Kinoull, Major William Clapham, Sir David Threpland of Ringask, Sir Hugh Paterson of Bannockburn, Sir Donald Mackdonald of Slatts, Sir John Preston of Preston-Hall, Sir John Mackenzie of Cowal, Master James Malcolm of Grange, Master John Stuart of Innernitty, Master Alexander Robertson of Stronach, Master John Warkinslaw of Scotstoun, Master George Mackenzie, Son of Delvin, George Mackenzie of Balamukie, Alexander Mackenzie of Fraserdale, Roderick Mackenzie of Fairburn, Alexander Mackenzie of Apple-Croffe, Donald Mackenzie of Kilcowie, John Mackenzie of Auch, Alexander Mackenzie of Dochmaluach, John Sinclair Esq; commonly called Master of Sinclair, Alexander Farquharson of Inveray, Colin Campbell Laird of Glenderule, John Cameron Younger of Lochiel, James Stirling of Keir, William Graham of Duntroon, Robert Campbell alias Mr. Gregor, commonly called Rob. Roy, John Oliphant late Baillie of Dundee, Robert Stuart of Apin, Hugh Ross Laird of Clova, John MacDowgal of Lorne, John Grant Laird of Glenmarison, John Mackinnin Laird of Mackinnin, Roderick Chisholm of Strathglast, Alexander Mackdonald of Glenco, John Mackera of Davachearry, Alexander Mackdonald Laird of Glengary, Ronald Mackdonald, Captain of Clon Ronald, on or before the 13th of November, 1715, did in a traitorous and hostile Manner take up Arms and levy War against his present Majesty, within this Realm, and are fled to avoid being apprehended and prosecuted for their Offences according to Law: Therefore enacted, That if the said *George Earl of Marischall, &c.* shall not render themselves to one of his Majesty's Justices of the Peace on or before the last Day of June, 1716, then every of them, the said *George Earl of Marischall, &c.* shall, from and after the said 13th of November, 1715, stand and be adjudged attainted of High Treason, and shall suffer and forfeit as a Person attainted of High Treason by the Laws of the Land ought to do. And every of the said Justices of the Peace are hereby required to commit every of them the said *George Earl of Marischall, &c.* so surrendering himself, to Prison for the said High Treason, there to remain till he shall be discharged by due Course of Law, and thereof immediately give Notice to one of his Majesty's Principal Secretaries of State.*

V. Stat. 1 G. 2. 53. *Seft.* 1. Whereas *Thomas Foster* the Younger, Esq; and *William Mackintosh*, Esq; did on or before the 12th of *November*, 1715, take up Arms and levy War within this Realm against his present Majesty; and were committed to *Newgate* for the said High Treason, and indicted for the same; but before they could receive their Trials, they found Means to escape out of the said Gaol, and are fled from Justice: Therefore enacted, That from and after the said 12th of *November*, 1715, the said *Thomas Foster* and *William Mackintosh* shall be adjudged and stand convicted and attainted of the said High Treason; and that they, and each of them, shall suffer such Pains and Penalties, and undergo all such Forfeitures as Persons convicted and attainted of High Treason ought to do.

Bank of England.

I. Stat. 1 G. 2. 12. *Seft.* 1. Enacted, That there be granted to his Majesty, during his Life, an additional Revenue of 120,000 *l. per Annum*, which with the neat Produce of the Branches settled for Uses of the Civil Government by the late Act of Parliament in that Behalf, may make up the clear yearly Sum of 700,000 *l.* for the King's Household and other necessary Occasions; and also that a Sum not exceeding 910,000 *l.* for the Service of the Navy and Forces, and other publick Occasions, by enlarging the present Fund of the Bank of England by such additional Revenues as are hereby after granted, and making such augmented Fund liable in the first Place to satisfy all Monies due as well upon the Interest of 2 *d.* per Cent. per diem on the Exchequer-Bills issued, and 3 *l.* per Cent. per Annum for circulating the same; and in the next Place to satisfy all Monies, which shall from Time to Time be incurred and grown due upon the other Allowances of 045,000 *l.* and 8,000 *l.* per Annum, (the said Interest and Allowances being always to be preferred in Payment) then out of the Remainder of such augmented Fund the yearly Sum of 120,000 *l.* by quarterly Payments, shall be applied for the King's Household and Family; and after paying or reserving sufficient to pay all such Monies as shall be grown due and payable upon the said yearly Sum of 120,000 *l.* the farther yearly Sum of 054,600 *l.* by like quarterly Payments, shall be taken out of the augmented Fund in order to raise any Sum not exceeding 910,000 *l.* for publick Services; and after paying so much as shall be grown due on the said yearly Sums of 120,000 *l.* and 054,600 *l.*

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the yearly Sum of 270,999 *l.* 7 *s.* or so much thereof as the Residue of the said augmented Fund shall produce, shall be appropriated for paying off and cancelling the said Exchequer-Bills. Provided, That if any Deficiency shall happen to make good the Payments of the original Fund of 100,000 *l.* *per Annum*, of the Bank of England, specify'd in the Act 7 *A.* c. 7. and of their yearly Annuity of 106,501 *l.* 13 *s.* 5 *d.* in the same Act specify'd, such Deficiency shall be made good out of the Residue of such augmented Fund as aforesaid, with Preference to any Issues to be made for cancelling the said Exchequer-Bills. Now for the establishing a sure and compleat Fund for answering all the Ends by this Act intended, it is enacted, That the Duties called the Two-thirds of a Subsidy of Tonnage and Poundage, the Duties on Coffee, Tea, &c. and the encreased Duties on the same, the farther Duties on all white Callicoes, Porcelan and Drugs, and the Half-subsidy of Tonnage and Poundage, all granted by the said Act 7 *A.* c. 7. and the Surplus arising by the other Moiety of the said Subsidy of Tonnage and Poundage, which was granted for the Term of ninety-six Years, from the last Day of July, 1712, and charged with 080,000 *l.* *per Annum*, for Payment of Annuities, and all other Revenues which by the Act 12 *A.* c. 11. were appropriated for Payment of Interest and Allowances relating to Exchequer-Bills, or towards cancelling the same, shall be Part of the general Fund and Security by this Act established, for the Purposes herein expressed, and subject to such Redemption as in this Act is prescribed.

II. *Sec.* 2. The Duties on Wines and Merchandizes, which by the Act 6 *A.* c. 11. were granted for ninety-six Years, shall, after the Determination of the said Term, be raised and paid to his Majesty, his Heirs and Successors, for ever; and shall be collected and paid by such Ways and Means, and under such Penalties and Forfeitures, and subject to such Drawbacks and Allowances, and in such Manner and Form as by the said Act of 6 *A.* is prescribed: And all the Monies, which after the Determination of the said Term of ninety-six Years shall arise of the said Moiety of the said Duties hereby continued, and all the Arrears thereof, after the Annuities charged thereon shall be paid off, shall be paid into the Exchequer for the Purposes in this Act; but redeemable as aforesaid.

III. *Sec.* 3. The additional Duties on French Wines and Merchandizes, imposed by the Act 7 *W.* 3. c. 20 shall, after the Determination of that Act be continued for ever; and all the Monies, which, after Michaelmas, 1715, shall arise of the said additional Duties, by Virtue of the said Act 7 *W.* 3. or of this Act, shall be paid into the Exchequer for the Purposes in this Act expressed, and subject to such Redemption as is herein prescribed.

IV. *Stat. 4.* All the Monies which after *Michaelmas, 1715*, shall arise by the Duties which by an Act made 25 C. 2. were granted to his Majesty, his Heirs and Successors for ever, commonly called the Plantation Duties, shall also be paid into the Exchequer for the Purposes in this Act.

V. *Stat. 5.* The Duties which by the Act 9 A. c. 12. were imposed upon all Hops either imported into, or growing in *Great Britain*, during the Term of four Years, from the 1st of *June, 1711*, (which Duties, by an Act of this present Session, are continued till the 1st of *August, 1715*;) shall be further continued for ever, and be collected, paid, &c. in like Manner, and under like Penalties, &c. as by the two Acts last mentioned is directed; and all the Powers, &c. in the said Acts, for securing the Duties, or for encouraging the Exportation of *British Hops to Ireland*, or for restraining the Use of bitter Ingredients instead of Hops, or touching Hops of foreign Growth, &c. are revived and continued for ever, as if the said Powers, &c. were repeated in this Act. And all the Monies, which after the last Day of *July, 1715*, shall arise of the said Duties, shall likewise be paid into the Exchequer, for the Purposes by this Act appointed, and subject to the Redemption herein prescribed.

VI. *Stat. 7.* All the Surplus Monies, which, upon any Computation to be made after the 29th of *September, 1715*, pursuant to the Annuity-Act 6 A. c. 5. shall appear to be in the Exchequer, above what shall be sufficient to discharge all Monies then grown due upon the Annuities charged thereupon by the Acts 4 A. c. 6. 5 A. c. 19. and 6 A. c. 5. are hereby appropriated, and shall be issued and apply'd to the Purposes in this Act declared; and to no other Purpose whatsoever; subject nevertheless to such Redemption as is herein provided in that Behalf.

VII. *Stat. 8.* The additional Subsidy of Tonnage and Poundage, commonly called *The One third Subsidy*, granted by the said Act of 4 A. c. 6. and the Duties of Excise, granted likewise by the said Act of 4 A. c. 6. the Duties on Low Wines or Spirits of the first Extraction, the Duties on Hawkers and Pedlars, the Duties on Vellom, &c. and the Duties on Sweets made for Sale, all which were granted by the said Act of 5 A. c. 19. and the several Duties of Excise granted by the Act 4 W. & M. c. 3. shall, after the Expiration of the several Terms granted by the said Acts, be continued for ever: And the said several Subsidies and Duties, by this Act made perpetual, as the same respectively shall take Effect, shall be raised by such Methods, and under such Penalties and Forfeitures, and with such Distribution of the same, and subject to such Mitigation, and with such Drawbacks, &c. and in such Manner and Form, as the

the like Duties granted by the said former Acts, are appointed to be raised.

VIII. *Sec. 9.* Where any of the said Duties, or any Proportions thereof, do, by Virtue of the Acts which granted the same, or of the Act of Union, extend to *Scotland*; in all such Cases, the same Duties hereby made perpetual, shall be understood to extend to *Scotland* in like Manner.

IX. *Sec. 10.* Where any farther Provision, or Alteration is made by any other Acts now in being, touching any the Subsidies, &c. granted for certain Terms as aforesaid, the same Provisions, &c. shall be observed in Relation to the like Subsidies, &c. by this Act made perpetual.

X. *Sec. 11.* All the Monies to arise by the said Subsidies, &c. by this Act made perpetual, as the same respectively (after the Expiration of the several Terms granted as aforesaid) shall take Effect, shall likewise be brought into the Exchequer for the Uses in this Act expressed: Nevertheless the said Duties, &c. shall be liable to such Redemption as is herein after prescribed.

XI. *Sec. 12.* All the overplus Monies of the five seventh Parts and two seventh Parts, granted by the Act 5 W. & M. c. 20. which on a Computation to be made after the 29th of September, 1715, shall remain in the Exchequer, shall be set apart and appropriated for the several Uses in this Act expressed; but subject to such Redemption as is herein prescribed.

XII. *Sec. 13.* All other publick Monies, which after *Michaelmas*, 1715, shall be brought into the Exchequer, not being appropriated to any Use, and not arising from any Branch of the Revenue appointed for the Civil Government, shall be set apart for the Uses in this Act declared.

XIII. *Sec. 14.* Provided that nothing in this Act shall obstruct the making good any Deficiencies, which shall happen in the yearly Fund of 116,573 *l.* 12 *s.* mentioned in an Act made in the first Year of his Majesty's Reign, intituled, *An Act for rectifying Mistakes in the Names of the Commissioners for the Land-Tax for the Year 1714*, &c. but every such Deficiency shall be made good out of any publick unappropriated Monies.

XIV. *Sec. 15.* All the Subsidies, &c. which by the said Act of 12 A. c. 11. were appropriated for paying of Interest and Allowances relating to Exchequer-Bills, and the several additional Revenues by this Act granted or continued, and all Surplus and other Monies hereby directed to be brought into the Exchequer, and the overplus Monies of the yearly Sum of 700,000 *l.* herein after mentioned, shall be one general or aggregate Fund for paying the 2 *d.* per Cent. per diem, and the 3 *l.* per Cent. per Annum, for the Exchequer-Bills above-mentioned, or such of them as shall be uncanceled, and the Monies due on

on the said Sums of 45,000*l.* and 8000*l.* *per Annum*; and for supplying to his Majesty for Life, the yearly Sum of 120,000*l.* from *Michaelmas*, 1715, by quarterly Payments, for the Service of the Household, &c. and also for supplying the yearly Sum of 54,600*l.* for ever, by like quarterly Payments, to commence from *Michaelmas*, 1715, in order to raise any Sum not exceeding 910,000*l.* for publick Services; and for making good any such Deficiencies as aforesaid, and for furnishing the said yearly Sum of 270,999*l.* 7*s.* for paying off and cancelling the said Bills: And such of the said Subsidies, &c. as are already arisen, and the Residue thereof as they shall arise, are by this Act appropriated thereunto.

XV. *Señ.* 16. The said Allowances of 3*l.* *per Cent. per Annum*, and all Arrears thereof, shall be paid at the Exchequer to the Bank, weekly, out of the Monies of the said aggregate Fund, so as the whole of the said Allowances, due to the said Bank, at the End of each Quarter, be not exceeded: And the Treasury shall, out of the said aggregate Fund, issue to such Persons as they shall think fit to intrust in that Behalf, such Sums of Money, by Way of Imprest, and upon Account, as they shall find necessary for discharging all the Interest after the Rate of 2*d.* *per Cent. per diem*, which shall be due or demandable upon the said Exchequer-Bills; the said Interest to be discharged at such Time, and in such Manner as is prescribed by the said former Acts.

XVI. *Señ.* 17. After reserving sufficient to satisfy the said Allowance of 3*l.* *per Cent. per Annum*, and Interest of 2*d.* *per Cent. per diem*, then the Monies which shall be grown due to the Bank upon their said other Allowances of 45,000*l.* and 8000*l.* *per Annum*, shall be paid to the said Bank at the Exchequer, weekly, or as soon as the same can be satisfy'd out of the Monies of the said aggregate Fund, arising by the said Duties.

XVII. *Señ.* 18. After that, the said yearly Sum of 120,000*l.* for the Service of the King's Household, &c. shall be paid quarterly, from *Michaelmas*, 1715, during his Majesty's Life; and the Treasury are authorized to cause it to be paid accordingly.

XVIII. *Señ.* 19. After reserving sufficient to satisfy all the above-mentioned Payments, then the said Sum of 54,600*l.* *per Annum*, shall, after *Michaelmas*, 1715, be set apart quarterly, out of the Monies of the said aggregate Fund, and be issued and applied to answer such perpetual Annuities as shall be purchased thereupon at 6*l.* *per Cent. per Annum*, but subject to Redemption by Parliament, according to such Acts as are or shall be passed for raising thereupon the said Sum of 910,000*l.* for the publick Service.

XIX. *Seff. 20.* The said Allowance of 3 *l. per Cent. per Annum*, and the said Payments for Interest, shall take Place and be preferred in Point of Payment before the said yearly Sums of 45,000 *l.* and 8000 *l.* and the said yearly Sums of 45,000 and 8000 *l.* shall be preferred before the said yearly Sum of 120,000 *l.* and the said yearly Sum of 120,000 *l.* shall take Place before the said yearly Sum of 54,600 *l.* and the said yearly Sum of 54,600 *l.* shall be preferred before any Sums herein after mentioned, for making good Deficiencies in other Funds of the said Bank, and before the yearly Sum herein after mentioned for cancelling Exchequer-Bills.

XX. *Seff. 21.* After reserving sufficient to satisfy the said Allowances of 3 *l. per Cent. per Annum*, and Interest of 2 *d. per Cent. per Diem*, and the said 45,000 *l.* and 8000 *l. per Annum*, and for the said yearly Sums of 120,000 *l.* and 54,600 *l.* then the Deficiencies for making good the Payments on the said yearly Sums of 100,000 *l.* and 106,501 *l. 13 s. 5 d.* as often as such shall happen, shall be satisfy'd out of the aggregate Fund: And the Treasury are required to cause such Deficiencies to be satisfy'd accordingly, with Preference to any Issues for cancelling the said Bills; which Deficiencies shall be annually computed at the Exchequer, from the Produce of the said respective Revenues there; *viz.* the Deficiency of the said original Fund on the 1st of June, and that of the Annuity last mentioned at *Michaelmas* yearly.

XXI. *Seff. 22.* After reserving sufficient to pay and satisfy all the said Allowances, annual Sums and Deficiencies, then the said full annual Sum of 270,999 *l. 7 s.* or so much thereof as the Monies arising by the said aggregate Fund shall produce, shall be appropriated for paying of all the principal Monies in the said Exchequer-Bills, till the Bills be cancelled, and shall be issued and applied for that Purpose in such Manner as the Treasury shall appoint; and the Issues thereof shall be made quarterly, or oftner, so as by the Payments within any Quarter the fourth Part of the yearly Sum last mentioned for that Quarter be not exceeded.

XXII. *Seff. 23.* If the Produce of the said aggregate Fund shall, at the End of any Year, reckoning from *Michaelmas*, 1715, exceed all the Money due at the End of every such Year, for all the Purposes aforesaid, the Surplus shall be disposible by Parliament.

XXIII. *Seff. 24.* But in Case the said aggregate Fund shall, at the End of one Year, reckoning as aforesaid, not be sufficient to answer the Purposes to which the same is hereby intended to be apply'd, then such Deficiency shall be made good out of the next Aids to be granted in Parliament.

XXIV. *Señ. 25.* If the Revenues settled for the Support of his Majesty's Household, by the Act 1 G. Stat. 1. c. 1. together with the said additional Revenue of 120,000 *l. per Annum*, intended by this Act to be supply'd as aforesaid, shall, from *Michaelmas*, 1715, at any Time during his Majesty's Life, produce more than 700,000 *l.* then the Overplus shall go to and be deemed Part of the general aggregate Fund hereby established, and be issued and applied accordingly, till all the said Exchequer-Bills be paid off and cancelled; and after the Cancelling thereof, the said Overplus shall not be disposed of but by Authority of Parliament: And all Grants to be made by his Majesty of such Overplus shall be utterly void, and the Grantees shall be adjudged incapable in Law to take or enjoy the same: Any Law or Custom to the contrary notwithstanding.

XXV. *Señ. 26.* If the said Revenue for the Civil List shall, at the End of any one Year, reckoning from *Michaelmas*, 1715, appear to have produced less than 700,000 *l.* such Deficiency shall be made good out of the next Aids to be granted in Parliament.

XXVI. *Señ. 27.* The Sum of 77,694 *l. 1 s. 7 d.* of unappropriated Money, brought into the Exchequer before the 12th of June, 1714, and now remaining there, shall be apply'd towards defraying his Majesty's extraordinary Expences from his Accession to the Throne, till *Michaelmas*, 1715.

XXVII. *Señ. 28.* The said above-recited Acts, and all the Powers, &c. and all Pains of Death, and other Penalties and Forfeitures, Clauses, &c. in them contained, touching the said Exchequer-Bills, &c. (such Alterations as are therein made by this Act only excepted) shall continue, &c. as fully as if the said Powers, &c. were repeated in the Body of this Act; and the Governor, or any the Members of the Bank, shall incur no Disability for their doing any Thing in Pursuance of this Act.

XXVIII. *Señ. 29.* The Governor and Company of the Bank of England, and their Successors, shall continue a Corporation till the said Exchequer-Bills be discharged and cancelled, notwithstanding the Redemption of their other Funds.

XXIX. *Señ. 30.* After the paying off and discharging all the Principal and Interest due on the said Exchequer-Bills, and all Arrearages upon the said Allowance of 3 *l. per Cent. per Annum*, and upon the said yearly Sums of 45,000 *l.* 8000 *l.* 120,000 *l.* and 54,600 *l.* and also of such Deficiencies as shall appear to be unsatisfy'd upon the said original Fund of 100,000 *l. per Annum*, and upon the said Annuity of 106,501 *l. 13 s. 5 d. per Annum*; then the aggregate Fund by this Act established, and the said Subsidies, &c. shall be understood to be

be redeemed by Parliament, and shall not be issued without the Authority of the same: Except the said Duties called the two Thirds of a Subsidy of Tonnage and Poundage, and the Duties upon Coffee, &c. and the increased Duties upon Coffee, &c. and the Duties on white Callicoes, &c. which said Subsidies and Duties so excepted are to continue for answering all the Payments which shall grow due upon the said yearly Sum of 120,000 *l.* for the Civil List, and the Payments which shall grow due on the said yearly Sum of 54,600 *l.* for Payment of the Annuities to be purchased as aforesaid; which Annuities are to continue for ever, unless redeemed by Parliament: And the said excepted Subsidies and Duties, so to be continued for answering the Payments aforesaid, shall be appropriated and apply'd thereunto, during the Continuance of the same yearly Sums.

XXX. *Stat. 31.* The general Fund by this Act established, and all the said Subsidies, &c. (except before excepted) may be redeemed in the Manner prescribed in the foregoing Proviso, without redeeming the said original Fund of 100,000 *l.* *per Annum* of the Bank of England, or their said Annuity of 106,501 *l.* 13 *s.* 5 *d.* *per Annum*; which original Fund and Annuity may be redeemed in such Manner, &c. as is prescribed by the several Acts of Parliament now in Force concerning the same.

XXXI. *Stat. 32.* After such Redemption of the said original Fund and Annuity, and of the general Fund established by this Act, the Corporation of the said Bank shall cease; but till then the said Governor and Company shall continue a Corporation, and enjoy all the Privileges they are entitled to as aforesaid.

XXXII. *Stat. 33.* So much of the Sum of 180,000 *l.* which was borrowed on the Act which laid a Duty on Hops for four Years, as is deficient, shall be satisfy'd out of the Sum of 910,000 *l.* to be raised as aforesaid.

XXXIII. *Stat. 36. c. 8. Stat. 1.* The Preamble, among other Things, recites, That whereas the Governor and Company of the Bank of England are willing to accept one Annuity of 88,751 *l.* 7 *s.* 10 *d.* *ob.* being after the Rate of 5 *l.* *per Cent.* *per Annum*, on the principal Sum of 1,775,027 *l.* 17 *s.* 10 *d.* *ob.* in Lieu of their present Annuity of 106,501 *l.* 13 *s.* 5 *d.* *per Annum*, so as they may be satisfy'd the said last yearly Sum till Midsummer, 1718, inclusively; and so as the future Payments of the said Sum of 88,751 *l.* 7 *s.* 10 *d.* *ob.* may be secured to them from the said Feast-Day till the Redemption thereof, and so as the said yearly Sum be made redeemable upon one Year's Notice to be given at Midsummer, 1718, or at any quarterly Feast-Day afterwards; and upon full Payment to them

of

of the said Sum of 1,775,027 *l.* 17 *s.* 10 *d.* *ob.* and of all Arrears of the said yearly Sum of 88,751 *l.* 7 *s.* 10 *d.* *ob.* And the said Governor, &c. are also willing to discharge and deliver up to be cancelled, as many Exchequer Bills as amount to two Millions in Principal Money, and to accept an Annuity of 100,000 *l.* *per Annum*, being after the Rate of five *per Cent.* for the same, to commence from *Christmas*, 1717, redeemable by Parliament upon one Year's Notice to be given at the said Feast, or at any quarterly Feast-Day after, and Repayment of the said two Millions, and all Arrears of the Annuity last mentioned; and to continue circulating the Remainder (amounting to 2,561,025 *l.* in Principal Money) of the said Exchequer Bills, at the Allowance of 3 *l.* *per Cent.* *per Annum*, and are also content that the Interest payable on such Remainder of the said Bills be reduced to one Penny *per Cent.* *per Diem*, from *Christmas*, 1717; so as the said Bills so to be circulated, be made redeemable by Parliament on a Year's Notice to be given at *Michaelmas*, 1717, or at any quarterly Feast-Day after, and upon Payment of all the Principal and Interest on the said Bills, and all Arrears of the 3 *l.* *per Cent.* *per Annum*, that shall be due at such Redemption; and so as the present Allowances for circulating the said Bills be continued to them till *Christmas*, 1717. And the said Governor, &c. are also willing to advance the farther Sum of 2,500,000 *l.* at any Time before the 25th of *March*, 1718, at the Interest of 5 *l.* *per Cent.* *per Annum*, redeemable by Parliament; therefore enacted, (*Sec. 1.*) That the said Governor, &c. shall be paid all such Monies as are, or at any Time before *Midsummer*, 1718, inclusively, shall grow due upon the said Annuity of 100,501 *l.* 13 *s.* 5 *d.* *per Annum*, out of the Monies arising of the Duties on Houses mention'd in the Act 7 *Ch. 7.* and of the aggregate Fund, or any of them; and after *Midsummer*, 1718, the said Annuity of 100,501 *l.* 13 *s.* 5 *d.* shall cease.

XXXIV. *Sec. 2.* The said Governor, &c. shall receive and enjoy the said Annuity of 88,751 *l.* 7 *s.* 10 *d.* *ob.* which is hereby charged upon, and shall be paid out of the Monies to arise on the said Duties on Houses, and on the said aggregate Fund; and shall be payable to them for ever, from *Midsummer*, 1718, at the four usual Feasts in the Year, by equal Portions; the Payments to be made in such Manner as is herein after prescribed.

XXXV. *Sec. 3.* Upon one Year's Notice to be given at *Midsummer*, 1718, or at any quarterly Feast-Day after, and upon Repayment to the Bank of the said Sum of 1,775,027 *l.* 17 *s.* 10 *d.* *ob.* without Abatement, and of all Arrears of the said Annuity of 88,751 *l.* 7 *s.* 10 *d.* *ob.* then the said Annuity shall cease and determine.

XXXVI

XXXVI. *Señ. 4.* Out of the Monies that shall be in the Exchequer of the said aggregate Fund and Duties on Houses, the Bank shall be paid so much as shall be due for the said Interest of 2 *d.* *per Cent. per Diem* upon the said Bills, amounting to two Millions, till they shall deliver up the same pursuant to this Act; and so much as before *Christmas, 1717*, shall be due to them for their said Allowance of 3 *l.* *per Cent. per Annum*, to be computed by the Day upon so many of the said Bills, amounting to 4,561,025 *l.* as shall at any Time before the same Feast-Day remain uncanceled; and also so much as before the said Feast shall quarterly grow due to them, upon their said Allowances of 45,000 *l.* and 8000 *l.* *per Annum*.

XXXVI. *Señ. 5.* The Bank shall, at or before *Christmas, 1717*, deliver up as many of the said Exchequer-Bills as shall amount to two Millions in Principal Money, to such Persons as the Treasury shall nominate, to be cancelled in such Manner as the Treasury shall appoint, and the said Interest of 2 *d.* *per Cent. per Diem*, and Allowance of 3 *l.* *per Cent. per Annum*, payable in Respect of the said Bills, amounting to two Millions from the respective Times on which they shall be delivered to be cancelled as aforesaid; and the said Allowances of 45,000 *l.* and 8000 *l.* *per Annum*, from *Christmas, 1717*, shall cease and determine; and the said aggregate Fund shall be discharged from the same.

XXXVIII. *Señ. 6.* After *Christmas, 1717*, the Bank shall for ever have and enjoy one Annuity of 100,000 *l.* (being after the Rate of 5 *l.* *per Cent. per Annum*, computed on the said Principal Sum of two Millions) which said yearly Sum is hereby charged upon, and shall be paid out of the Monies arising of the said aggregate Fund and Duties on Houses, and shall be paid to the Bank for ever, at the four most usual Feasts before-mentioned, by equal Portions, without any Deduction whatsoever; and the Payments shall be made in such Manner, and with such Preference as is in this Act prescribed.

XXXIX. *Señ. 7.* Upon one Year's Notice to be given at *Christmas, 1717*, or at any quarterly Feast after, and upon Repayment to the Bank of the two Millions, and of all Arrears of the said yearly Sum of 100,000 *l.* the said yearly Sum shall cease.

XL. *Señ. 8.* The said Governor, &c. shall pay into the Exchequer 2,500,000 *l.* at such Times on or before the 25th of *March, 1718*, and in such Proportions at a Time, as the Treasury shall call for or require. And in Case the said Governor, &c. fail in any such Payment by the Space of fourteen Days, the Money whereof such Failure shall be made, may be recovered in his Majesty's Name, by Action of Debt, &c. in any of the Courts at *Westminster*; wherein no *Essoin, &c.* or more than one *Imparlançe* shall be allowed; in which Action, &c.

it shall be lawful and sufficient to declare, That the said Governor, &c. are indebted to the King the Monies whereof they shall have made Default in Payment, according to the Form of this Statute, and have not paid the same; and in such Actions, &c. there shall be farther recovered to his Majesty's Use, against the said Governor, &c. Damages at the Rate of 10 *l. per Cent.* for the Money so unpaid, besides full Costs of Suit: And the said Governor, &c. and their capital Stocks and Funds, are hereby made liable thereunto; so that the Sum to be called for exceed not at any one Time 500,000 *l.*

XLI. *Señ. 9.* The said Governor, &c. for every Sum they shall advance in Part of the said 2,500,000 *l.* shall have an Annuity after the Rate of 5 *l. per Cent. per Annum*, for ever, but subject to the Proviso of Redemption in this Act: And every such Annuity for the Money so to be advanced, shall be charged and payable out of the Monies arising of the said Duties on Houses, and of the said aggregate Fund, and shall be paid as follows, *viz.* The first Payment shall be computed and satisfy'd from the Day on which the said Sum of 2,500,000 *l.* or any Part thereof, shall be advanced, till the quarterly Feast-Day then next ensuing; and from thenceforth at the four most usual Feasts in the Year, by equal Portions.

XLII. *Señ. 10.* Upon Repayment by Parliament of the said 2,500,000 *l.* or so much thereof as shall be advanced, and of all Arrears of such Annuities, the said Annuities shall from thenceforth cease and determine.

XLIII. *Señ. 11.* The Interest of 2 *d. per Cent. per Diem*, on the said Bills for 2,561,025 *l.* shall continue and be paid to the Bearers thereof, till the 26th of December, 1717, and no longer; and after Christmas, 1717, it shall be reduced to 1 *d. per Cent. per Diem*, which Interest shall be paid on the said Bills to the respective Bearers thereof, till the Redemption of the same; and shall be satisfy'd from Time to Time by such Ways and Means as are herein after prescribed: Provided nevertheless, That the said Interest upon such of the said Bills as shall be in the Exchequer, or in the Hands of any Receivers of Taxes, &c. shall, during such Times respectively, be abated and saved for the Benefit of the Publick.

XLIV. *Señ. 12.* The said Governor, &c. shall, for circulating the said Bills, have an Annuity of 76,830 *l. 15s.* (being after the Rate of 3 *l. per Cent. per Annum*, upon the said 2,500,000 *l.*) which Annuity is hereby charged upon, and shall be paid out of the said Duties on Houses and the said aggregate Fund, to the said Governor, &c. for ever, from Christmas, 1717, at the four most usual Feasts in the Year, without any Deduction.

XLV. *Señ. 13.* On one Year's Notice to be given at Michaelmas, 1717, or at any quarterly Feast-Day after, and on Pay-

Payment of the 2,561,025 *l.* and Interest, and all Arrears of the Annuity of 76,830 *l.* 15 *s.* and cancelling the said Exchequer-Bills, the said Annuity shall cease and determine: And for the better Payment of the several Annuities of 88,751 *l.* 7 *s.* 10 *d.* ob. 100,000 *l.* and 76,830 *l.* 15 *s.* standing Orders shall be signed by the Treasury, which shall be good in Law, and not determinable on the Death or Removal of any Commissioner of the Treasury, or High Treasurer for the Time being; nor shall the Treasury have Power to revoke or make void the same.

XLVI. *Stat. 14.* As the several Duties chargeable with the Payment of the said Annuities, shall from Time to Time be brought into the Exchequer, such Monies shall be issued upon such Orders, weekly or otherwise, towards discharging the several Annuities thereon charged, to grow due at the End of the Quarter of a Year, in which such Issues shall be made, so as such weekly or other Payments exceed not the Sums of the several quarterly Payments, which shall grow due at the End of each Quarter respectively.

XLVII. *Stat. 15.* In Consideration of the said Annuity of 76,830 *l.* 15 *s.* the Bank shall, till all the said Bills for 2,561,025 *l.* be fully discharged and cancelled, exchange for ready Money such of the said Bills as shall be demanded of them, by paying the Sums for which such Bills were issued, and the Interest due at the Time of such Demand; and if they shall neglect or refuse to exchange any such Bill for ready Money, upon Demand thereof at their Office, (which during the Currency of the said Bills is hereby required to be kept within the City of London) by the Space of twenty-four Hours, then the Person demanding, or for whose Account such Demand shall be made, may bring their Action of Debt, or upon the Case, for the same, against the said Governor, &c. and the Persons bringing the Action may declare, That the said Governor, &c. are indebted to the Plaintiff in the Money demanded on the said Bill, according to the Form of this Statute, and have not paid the same; which shall be sufficient; and the Plaintiff shall recover against the said Governor, &c. not only the Money so neglected or refused to be paid, but Damages and full Costs of Suit; and the said Governor, &c. are hereby made liable thereto; and in the said Action no Essoin, &c. shall be allowed, or more than one Imparlane.

XLVIII. *Stat. 16.* The said Annuities of 88,751 *l.* 7 *s.* 10 *d.* ob. 100,000 *l.* and 76,830 *l.* 15 *s.* and the said other Annuities after the Rate of 5 *l.* per Cent. per Annum, shall be deemed personal Estates; and the same, and the Stocks which the Bank now have, and those they shall be entitled unto by Virtue of this Act, and the Sums payable to them in Respect of any

such Stock, shall be free from all Taxes, and not liable to any foreign Attachment.

XLIX. *Sec. 17.* The said Duties on Houses and aggregate Fund, and all the other Duties settled for Payment of the former yearly Sums of 106,501 *l.* 13 *s.* 5 *d.* and of the Interest and Allowances relating to former Exchequer-Bills, shall be continued and paid to his Majesty, his Heirs and Successors, for ever, and shall be raised, &c. by such Methods, &c. as are prescribed by the respective Acts now in Force, as fully as if the same Acts were repeated in this Act; but all the Monies arising thereby after *Midsummer*, 1717, shall be disposable for the Uses by this Act appointed, and shall be entered in Books to be kept in the Offices of the Auditor of the Receipt of the Exchequer, and Clerk of the Pells, for that Purpose; to which all Persons concerned shall have free Access.

L. *Sec. 18.* All the Monies of the said Duties, &c. which shall be brought into the Exchequer for the Purposes in this Act, (except the Charges for raising, &c. the same) are hereby appropriated for the Payment of so much as at *Midsummer*, 1718, shall be due to the Bank upon their said yearly Sum of 106,501 *l.* 13 *s.* 5 *d.* and of so much as at *Christmas*, 1717, shall be due for the Interest at 2 *d.* per Cent. per Diem, on the said Exchequer-Bills; and so much as at the said Feast shall quarterly grow due to the said Bank upon their Allowances of 45,000 *l.* and 8000 *l.* per Annum, and upon the 3 *l.* per Cent. per Annum for circulating the said Bills; as also for discharging all the growing Payments on the said Annuities of 88,751 *l.* 7 *s.* 10 *d.* ob. 100,000 *l.* and 76,830 *l.* 15 *s.* and the said other Annuities after the Rate of 5 *l.* per Cent. per Annum; and for Payment of the said yearly Sums of 120,000 *l.* and 54,600 *l.* and all Agrears thereof; and such other annual and other Payments as are by this Act prescribed to be made out of the same: All which Payments are to be satisfy'd in their due Course, and with such Preferences as are by this Act appointed, without any Fee or Charge, but subject to the Redemptions in this Act prescribed: And in Case any Officer of the Exchequer shall divert or misapply any of the Monies hereby appropriated, or shall pay the same otherwise than according to the Intent of this Act, or shall not keep Books or make Entries, and do all other Things by this Act required, he shall forfeit his Office, and be incapable to serve his Majesty in any Employment of Trust or Profit, and be liable to pay double the Sum so delay'd, diverted or misapply'd, with full Costs to the Party grieved, to be recovered by Action of Debt, &c. in any of the Courts at *Westminster*, in which no *Essoin*, &c. nor more than one Imparllance shall be allowed.

LI. *Sec. 19.* The Monies appropriated by this Act shall be issued and apply'd in the following Manner; *viz.* First to pay off so much as at the 24th of June, 1718, shall grow due to the Bank on the yearly Sum of 106,501 *l.* 13 *s.* 5 *d.* and so much as at Christmas, 1717, shall be due for the said Interest at 2 *d.* *per Cent. per Diem*; and so much as at the same Feast-Day shall be due for Interest on the Allowance of 3 *l.* *per Cent. per Annum*, and upon the said yearly Sums of 45,000 *l.* and 8000 *l.* Then to pay so much as shall be due on the Annuities of 88,751 *l.* 7 *s.* 10 *d.* *ob.* 100,000 *l.* and 76,830 *l.* 15 *s.* and the said other Annuity of 5 *l.* *per Cent.* to the said Governor, &c. weekly, or as soon as the same can be satisfy'd out of the said Duties, &c. so as by such Weekly or other Payments the Whole of the said Annuities be not exceeded at the End of each Quarter; and for answering such Demands as shall be made of the Interest of 1 *d.* *per Cent. per Diem*.

LII. *Sec. 20.* After paying or reserving sufficient to pay all the said yearly Sums, &c. then the said yearly Sum of 120,000 *l.* for the Civil List shall be paid to his Majesty during his Life, out of the Monies by this Act appropriated: And the Treasury are to cause the said Sum of 120,000 *l.* to be issued weekly, or as soon as the same can be satisfy'd, so as thereby the Sum of 30,000 *l.* due thereon at the End of each Quarter, be not exceeded.

LIII. *Sec. 21.* After all the before-mentioned Payments are satisfy'd, then the said Sum of 54,600 *l.* shall be set apart in the Exchequer, out of the Monies hereby appropriated, and shall be apply'd to answer such perpetual Annuities as are purchased thereon at the Rate of 5 *l.* *per Cent. per Annum*.

LIV. *Sec. 22.* The Arrears that shall be due on the annual Sums of 88,751 *l.* 7 *s.* 10 *d.* *ob.* 100,000 *l.* and 76,830 *l.* 15 *s.* and the said Annuities after the Rate of 5 *l.* *per Cent.* and the Monies necessary to answer such Demands of Interest as aforesaid, shall be preferred in Point of Payment before the said yearly Sum of 120,000 *l.* and that before the said yearly Sum of 54,600 *l.* which last shall likewise be preferred before the applying any the said appropriated Monies, for answering the Payments herein-after charged thereon.

LV. *Sec. 23.* After satisfying all the Payments aforesaid, then the Deficiencies incurred on the original Fund of 100,000 *l.* *per Annum*, payable to the Bank out of the five seventh Parts of certain Duties of Excise, by Vertue of several Acts of Parliament in that Behalf, shall be satisfy'd out of the Monies by this Act appropriated: After which, the yearly Sum of 4000 *l.* shall be set apart in the Exchequer, and issued to the respective Sheriffs of England and Wales, for defraying the Charges of taking forth their Patents, passing their Accounts, and obtaining their *Quietus's*

LVI. *Sett.* 24. The Surplus which may be produced by the Duties, &c. hereby appropriated, and at the End of any Quarter shall remain in the Exchequer, above the Money demandable on the said Annuities, &c. shall attend the Disposition of Parliament.

LVII. *Sett.* 25. In Case the Produce of the said Duties, &c. shall, after *Lady-Day*, 1717, be deficient to answer the Payments aforesaid, such Deficiency shall be made good out of the Produce of the said Duties, &c. in any subsequent Quarter, wherein there shall be an Overplus.

LVIII. *Sett.* 26. If any such Deficiency shall happen in the Produce of the said Duties, &c. at the End of any one Year (reckoning each Year to end at *Michaelmas*;) such Deficiency shall be made good out of the next Aids to be granted in Parliament.

LIX. *Sett.* 27. The Treasury shall, out of the Monies arising by the said appropriated Duties for Payment of the said Interest, issue to such Persons as they shall think fit to intrust, and upon Security given to their good Liking, such Sums, by Way of Imprest and upon Accompt, as they shall find necessary, for discharging all the Interest grown due on the said Bills; the said Interest to be discharged in the Manner herein-after mentioned: And any Persons having in their Custody any of the said Exchequer-Bills, upon which six Months Interest, or more, shall be due, may demand of the Persons to whom the said Money shall be imprested as aforesaid, all the Interest so due upon such Bills; who are hereby required to pay the same upon Demand.

LX. *Sett.* 28. The said Exchequer-Bills, amounting to 2,561,025 *l.* shall be current to all Receivers and Collectors in *Great Britain*, of the Customs, Excise, &c. and also at the Exchequer, from any Persons making Payments or Loans there to his Majesty, or upon any Account whatsoever, till the Cancelling of the said Bills; and such of them as shall be received at the Exchequer, shall be locked up and secured as Cash, according to the Course established by Law for securing Money in Specie received there. And all Receivers, &c. are required, out of the Current coin'd Money that shall be in their Hands, of any Revenue, &c. to pay such of the said Bills as shall be brought to them by any Person desiring to have Money for the same; and if any Receiver, &c. refuse so to do by the Space of twenty-four Hours, the Person demanding may bring his Action for the Principal and Interest due on such Bills against such Receiver, &c. in which Action it shall be lawful and sufficient for the Plaintiff to declare, That such Receiver, &c. is indebted to him the Money demanded on such Bill, according to the Form of this Statute, and hath not paid the same; and the Plaintiff shall recover against such

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Receiver, &c. the Monies so refused to be paid with Damages and Costs of Suit; and such Receiver, &c. shall be liable thereto, and in such Action no Essoin, &c. shall be allowed, nor more than one Imparlance; and upon Payment of the Money recovered, the Plaintiff shall deliver up such Bills to the Defendant.

LXI. *Stat. 29.* When any of the said Bills shall be paid or lent into the Exchequer, the Officers there shall cause Talleys to be delivered to the Payers or Lenders, as amply to all Intents as if they had made such Payments or Loans in Specie.

LXII. *Stat. 30.* The Interest due on such Bills shall be allowed to all Persons paying the same to any Receiver, &c. or by Way of Exchange, or paying or lending the same into the Exchequer, to the respective Days whereon such Bills shall be so paid, exchanged, or lent.

LXIII. *Stat. 31.* No Interest shall be paid for such Bills during the Time they shall be in the Hands of any Receiver, &c. or Tellers of the Exchequer; but for such Time the Interest shall cease.

LXIV. *Stat. 32.* Persons paying such Bills to any Receiver, &c. by Way of Exchange, or otherwise, or paying or lending them into the Exchequer, shall, at the Time of such Payment, Exchange or Loan, put their Names on each Bill so paid, &c. and write thereon in Words at length, the Day of the Month and Year, on which they so paid, &c. such Bills, that it may be known for what Time they shall remain in the Hands of such Receiver, &c. who shall take Care to see all this done accordingly; to which said Days the said Receivers, &c. shall be again allowed the Interest they shall have paid on such Bills, on their paying the same into the Exchequer.

LXV. *Stat. 33.* The respective Tellers of the Exchequer, from whose Office such Bills shall be re-issued, shall indorse thereon in Words at length, the Day and Year that the same were so re-issued, and also on what Account they were last received into the Exchequer, and sign the same; from which Time the Interest on such Bills so re-issued shall revive.

LXVI. *Stat. 34.* The same Bills shall be re-issued only for the Principal Money.

LXVII. *Stat. 35.* The Officers to be appointed for receiving the Monies hereby appropriated for Payment of the said Interest, shall reimburse the said Tellers respectively so much as they shall have allow'd for the said Interest to the Payers or Lenders; in doing whereof they shall observe the Directions of the Treasury.

LXVIII. *Stat. 36.* Every Receiver-General of any Revenue, &c. shall keep a Book of Accounts, in which he or his Deputy shall truly enter all the Sums by them received, together with the Names of the several Collectors from whom re-

ceived, the Days when, and the Sums paid, how much in Money, and how much in Bills; and what Exchequer-Bills such Receiver-General shall have exchanged pursuant to this Act; to which Accounts all Persons concerned shall have free Access without Charge: The said Accounts to lie open at one certain Place within the Limits of his Receipt; Receiver neglecting to keep such Books, or to enter any Sum by him received, by the Space of three Days after Payment thereof, or refusing any Person concerned to inspect such Books, shall forfeit 100*l.* to any Person who will sue for the same, by Action of Debt, &c. in any of the Courts at Westminster, wherein no Essoin, &c. nor more than one Imparlance shall be allowed.

LXIX. *Sec.* 37. In Case any Exchequer-Bills shall be filled up by Endorsements, or by any Accident be defaced, the Treasury may, on Request of the Bank, cause new Bills to be made forth at the Exchequer in Lieu thereof; which old Bills shall be cancelled at the Exchequer, and kept there; and such new Bills shall have the like Currency, and be subject to the same Rules, &c. as if they had been originally issued in Pursuance of this Act, and shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest as the old Bills; and so *toties quoties* when any of the said Bills shall be filled up or defaced.

LXX. *Sec.* 38. It shall be lawful for the Bank, from Time to Time, as they shall see Cause, to call for from their respective Members, in Proportion to their respective Interests in the capital Stock, any Sums of Money, as in a general Court of the said Company shall be judged necessary; and all Executors, &c. shall be indemnified in paying the same: And if any Member shall refuse or neglect to pay his Share of the Monies so called for, at the Time appointed, by Notice in the *London Gazette*, and fixed upon the *Royal Exchange*, it shall be lawful for the Bank, not only to stop the Dividend of such Member, and to apply the same towards Payment of the Money so called for, until the same shall be satisfy'd; but also to stop the Transfers or Assignments of the Share of every such Defaulter, and to charge him with an Interest of 5 *l.* per Cent. per Annum, for the Monies so by him omitted to be paid till Payment thereof; and the Shares and Stocks of such Defaulter shall be liable to make good the Monies so appointed to be paid, and the Interest thereof; and if the Principal and Interest shall be three Months unpaid, the Bank shall have Power to sell so much of such Defaulter's Stock as will satisfy the same, rendering the Overplus to the Proprietors; and the Bank may, in a general Court, when they shall judge their Affairs will admit thereof, cause any Sum of Money so called in, to be divided

vided amongst the then Members, in Proportion to their respective Interests in the capital Stock.

LXXI. *Señ. 39.* The Bank may borrow Money on any Contracts, &c. under their common Seal, or upon Credit of their capital Stock, for any Time, or to be paid on Demand, at such Interest as they shall think fit, tho' it exceed the Interest allowed by Law, and give such Security as shall be to the Satisfaction of the Lenders: And they may contract in such Manner as they shall think fit, with any Persons, upon such Terms as they shall find necessary for the better enabling them to perform such Things as they are to do in Pursuance of this Act, and take Subscriptions from such Persons for that Purpose; and such Contracts, &c. shall not be chargeable with Stamp-Duties.

LXXII. *Señ. 40.* If any Person shall forge or counterfeit any such Exchequer-Bills, as aforesaid, or any Indorsement thereon, or tender in Payment any such forged Bill, or demand to have it exchanged for ready Money by the Bank, or by any Receiver or Collector as aforesaid, knowing it to be forged, or with Intent to defraud the King, the Bank, or any other Person, the Offender being convicted thereof, shall be adjudged a Felon, without Benefit of Clergy.

LXXIII. *Señ. 41.* The Bank shall have the Cheques, Indents or Counterfoils, of all the Exchequer-Bills to be current on this Act, to prevent their being imposed on by forged Bills; and when any of the Bills shall be discharged and cancelled, the Bank shall deliver back into the Exchequer such Parts of the said Cheques, &c. as relate to the Bills so cancelled.

LXXIV. *Señ. 42.* Till all the Exchequer-Bills to be circulated upon this Act shall be paid off and cancelled, no other Bills of the like Nature, tho' by another Name, shall be issued with or without Authority of Parliament, unless by Consent of the Bank.

LXXV. *Señ. 43.* No Member of the Bank shall be disabled from being a Parliament-Man, or adjudged liable to be a Bankrupt.

LXXVI. *Señ. 44.* During the Continuance of the Bank, no Body Politick, erected or to be erected, (other than the said Bank) nor any other Persons united or to be united in Partnership, exceeding the Number of six Persons, shall, in England, borrow any Sums of Money on their Bills or Notes, payable at Demand, or in less than six Months from the borrowing thereof.

LXXVII. *Señ. 45.* The Bank may in a general Court make and declare such Addition to their capital Stock (in Regard of their Undertaking to discharge such Exchequer-Bills, amounting to 2,561,025 *l.* and to advance any farther Sums, not exceeding

ceeding 2,500,000 *l.* as aforesaid) as they shall think fit; and so much as shall be so declared shall be deemed capital Stock; and the Members of the Bank who shall have a Share in such Stock, may assign or transfer the same; which Assignments or Transfers shall be made in the Method, &c. prescribed by any Statute or Charter now in Force, for Assignments, &c. to be made in the Books of the Bank by the Members thereof, of any Shares in their Capital.

LXXVIII. *Stat.* 46. When any Interest on the said Bills shall be demanded of the Bank, they shall not be obliged to pay for such Interest to any lesser Sum than one Penny, in Case a single Bill be produced for Payment, or for the Total of the Interest of such Bills where two or more shall be offered at one Time by the same Person.

LXXIX. *Stat.* 47. After the Redemption of all the said several Annuities, and full Payment of all Arrearages of the said Sums of 120,000 *l.* and 54,600 *l. per Annum*; and for the Deficiency of the original Fund of the said Bank, of 100,000 *l. per Annum*, then the said aggregate Fund, and the Subsidies, Duties, &c. shall be understood to be redeemed by Parliament, and shall not be issued, &c. without Authority of the same; except the two Thirds of a Subsidy of Tonnage and Poundage, the Duties upon Coffee, &c. the increased Duties upon Coffee, &c. and the further Duties upon all white Callicoes, &c. all which so excepted Duties are Part of the said aggregate Fund, and hereby continued for answering the said yearly Sum of 120,000 *l.* for the Civil List, and all the Payments which after such Redemption shall grow due upon the said yearly Sum of 54,600 *l.* for Payment of Annuities as aforesaid, and for paying the 4000 *l. per Annum*, to be issued to Sheriffs as aforesaid; which yearly Sums are to continue for ever, except such of them as shall be redeemed by Parliament, according to other Acts in that Behalf; and the said excepted Subsidies and Duties so to be continued for Payment of the said yearly Sums of 120,000 *l.* 54,600 *l.* and 400 *l. per Annum*, are hereby appropriated thereunto.

LXXX. *Stat.* 48. Nothing in this Act concerning the Redemption of any of the said Annuities hereby payable to the Bank, shall prevent any other of the Annuities to them payable by this Act, from being redeemed separately at the Time and in the Manner herein prescribed.

LXXXI. *Stat.* 49. The Bank shall continue a Corporation, and enjoy the said several Annuities, and all the Capacities, Powers, Privileges and Advantages to them, as a Corporation, belonging, till all the said Annuities shall be redeemed according to the several Provisoes in this Act.

LXXXII. *Stat. 50.* Till the said Annuities, not exceeding the Rate of 5 *l.* per Cent. per Annum, so to be purchased, shall be redeemed by Parliament, the Bank shall employ two sufficient Persons; within their Office in London, one to be their chief Cashier, the other their Accountant-General; and the Monies coming into the Exchequer for the Payment of such Annuities, shall be paid quarterly to the said Cashier, by Way of Imprest and on Account; and the Accountant-General shall inspect all the Receipts and Payments of the said Cashier, and the Vouchers relating thereto, in Order to prevent any Fraud, Negligence, or Delay: All the Monies to be advanced for such Annuities, shall be one capital or joint Stock on which the said Annuity shall be attending; and all Persons, in Proportion to the Monies they shall advance, shall have a Share in such Stock, and in the proportional Annuity attending the same; and all such Shares shall be assignable, transferrable and devisable in the same Manner as is prescribed by the Act 1 G. c. 19. (which see in Tit. Annuities) and no Stamp-Duties shall be chargeable on such Transfers: And the Bank, (notwithstanding the Redemption of any of their own Funds or Annuities) shall continue a Corporation, relating to the receiving, &c. the said Annuities last mentioned, till the same be redeemed by Parliament; and no Fees or Gratuity shall be demanded or taken for paying the said Annuities, or for any such Transfers: Nevertheless the Treasury may allow out of the Monies to be imprested as aforesaid, such Salaries and Allowances as they shall think reasonable to the said Cashier and Accountant-General.

LXXXIII. *Stat. 51.* All Transfers of Stock shall not hereafter be made liable to any higher Duties than are now payable for the same.

LXXXIV. *Stat. 52.* The Treasury are authorized, on Request to be made by the Bank, to cause Exchequer-Bills, of 5000 *l.* each (not exceeding fifty, over and above the Bills for 5000 *l.* each, made forth by any former Act of Parliament) to be made forth at the Exchequer, and to be delivered to the Bank in Lieu of the like Value of the Principal contained in Bills for lesser Sums now standing out, to be delivered up at the same Time by the Bank to be cancelled, or to be kept there; which new Bills of 5000 *l.* each shall be current only between the Exchequer and the Bank, and in other Respects shall be subject to the same Rules, &c. and carry the like Interest, and have the same Security, &c. and the same Pains of Death, &c. for any Crime or Offence, shall be inflicted, as if they had been Bills originally issued in Pursuance of former Acts.

LXXXV. *Stat. 53.* The Bank may, by Writing under their Common Seal, assign the said Annuities of 82,751 *l.* 7 *s.* 10 *d.*

ad. and 100,000 l. or any Part thereof, and also such Annuities after the Rate of 5 l. per Cent. per Annum, and the said 2,500,000 l. or so much thereof as shall be advanced by the Bank, to any Persons whatsoever, and so toties quoties; which Assignments shall not be revocable or subject to any Tax; so as an Entry be made of such Assignments in a Book for that Purpose, in the Office of the Auditor of the Receipt of the Exchequer; for which Entry no Fee or Reward shall be taken.

LXXXVI. *Stat.* 54. Provided, That nothing in this Act shall hinder the making good any Deficiency in the yearly Fund of 116,573 l. 12 s. mentioned in the Act 1 G. intituled, *An Act for rectifying Mistakes in the Names of the Commissioners for the Land-Tax, for the Year 1714, &c.* but such Deficiency shall be made good out of any publick unappropriated Monies, as if this Act had not been made.

LXXXVII. *Stat.* 55. Any Vote or Resolution of the House of Commons, signified by their Speaker in Writing, and delivered at the Office of the Bank, shall be deemed a sufficient Notice within the Meaning of this Act.

LXXXVIII. *Stat.* 56. Nothing herein shall hinder the Payment of the 20,000 l. per Annum, granted by his Majesty to the Prince of Wales, by Letters Patents dated the 1st of October, in the second Year of his Reign; but the same shall be issued and paid by the Treasury and Under-Treasurer of the Exchequer, out of the yearly Sum of 120,000 l. appointed by former Acts, and continued by this, for the Service of the Civil List, in the same Manner as it hath been hitherto paid, as if this Act had not been made.

Bankrupts.

I. Stat. 3 G. c. 12. *Stat.* 1. After reciting the Acts 4 & 5 A. c. 17. and 5 A. c. 22. (which see in Vol. 1. tit. Bankrupts) it is enacted, That all Persons, against whom Commissions of Bankrupts issued after the 24th of June, 1706, and on or before the 26th of June, 1716, who have fully discovered and delivered up all their Estates, &c. according to the Directions of the said late Acts; or shall on or before the 25th of December next ensuing, fully discover and deliver up, &c. shall be entitled to receive such Benefits and Allowances as by the said late Acts are given to Bankrupts, and shall be discharged from their Debts owing at the Time of their Bankruptcy: And the major Part of the Commissioners in such Commissions named, are empowered to make such Certificates as by the said Acts is directed; and the Lord Chancellor, &c. or any two of the Judges to whom the Consideration of such Certificates shall

shall be referred by the Lord Chancellor, &c. are impowered to hear and determine the Complaints of Creditors against the Allowance of such Certificates, and to allow and confirm the same if he or they think fit; such Certificate being first signed by four Parts in five in Number and Value of the Creditors who have proved their Debts, or by others by them authorized, testifying their Consent to such Allowance and Certificate; and such Certificates so allowed and confirm'd, are declared to be of as full Force and Effect, as if they had been allowed before the said 26th of June, 1716.

II. *Seff. 2.* All Persons who became Bankrupts, and against whom Commissions issued after the 24th of June, 1706, and on or before the 26th of June, 1716, who have not surrendered themselves and delivered up their Effects to the Commissioners, or who shall not surrender, &c. before the said 25th of December, 1717, shall be deemed and suffer as Felons, and be liable to all the Pains, which fraudulent Bankrupts by the said late Acts were liable to.

III. *Seff. 3.* Whereas in the before-mentioned Act of the 4th Year of the late Queen, which expired the 26th of June, 1716, there is a Clause to the following Effect, *viz.* [That where mutual Credit hath been given between the Bankrupt and others, and the Accounts are unbalanced, the Commissioners or Assignees may adjust the Accounts, and take the Balance due; and the Person Debtor shall not be obliged to pay more than what is due on such Balance.] Enacted, That the said Clause, in relation to all Persons against whom any Commission hath issued since the said 26th of June, 1716, or shall hereafter issue, and also in Relation to all Persons, Debtors to such Bankrupts, shall continue in Force for seven Years, and from thence to the End of the next Session of Parliament.

IV. *Stat. 5 G. c. 24. Seff. 1.* If any Person, who since the 26th of May, 1716, became, or shall hereafter become Bankrupt; and against whom a Commission of Bankrupt hath issued since the said 26th of May, or shall hereafter issue, whereon such Person shall be declared a Bankrupt, shall not, within thirty Days after Notice in Writing left at his Place of Abode, and Notice in the *London Gazette*, that such Commission hath issued, and of the Time and Place of a Meeting of the Commissioners, surrender himself to them, and submit to be examined upon Oath, or being a Quaker, upon the Affirmation by Law appointed for such People, and conform himself to the several Statutes concerning Bankrupts, and on such Examination discover how, in what Manner, to whom, and upon what Consideration, he hath disposed of any of his Goods or Estate, and all Goods, Papers and Writings relating thereto, of which he was possessed, or that any Person had in Trust for

for him, at the Issuing out of the said Commission; and deliver up to the Commissioners, all such his Goods, Estate, Books, &c. as at his Examination shall be in his Possession (his, and his Wife's and Childrens necessary wearing Apparel, only excepted) such Bankrupt, in Case of wilful Omision of any of the Premises, being thereof convicted, shall be adjudged a Felon, and suffer as such without Benefit of Clergy. The Person of such Bankrupt shall not be liable to any Arrest for Debt, or Escape Warrant, in going to, staying with, or coming from the Commissioners, if he attend in Obedience to any Notice or Summons from them; but, on producing such Summons or Notice, shall be immediately discharged; and if after such Summons shewn, any Officer shall detain such Bankrupt, he shall forfeit *5 l. per Diem*, to such Bankrupt's Use; to be recovered in any of the Courts at *Westminster*, with Costs.

V. *Señ. 2.* The Lord Chancellor, &c. may enlarge the Time for the Bankrupt's surrendering and discovering his Estate as he shall think fit, not exceeding sixty Days, to be computed from the End of the said thirty Days, so as such Order be made five Days at least before the Time on which such Person was to surrender himself, and discover as aforesaid.

VI. *Señ. 3.* If any Persons, who, since the said 26th of *May*, 1716, became, or shall hereafter become Bankrupt, or any other by or with their Order, Consent or Privy, shall, after the 25th of *April*, 1719, remove, conceal, destroy or imbezil, any Goods, Monies or Effects, whereof they, or any Persons in Trust for them, were possessed or entitled to, at, after, or during the Time of their becoming or continuing Bankrupt, to the Value of 20 *l.* or any Books of Accounts, Bonds, Bills, or other Writings relating thereunto, with Intent to defraud their Creditors, every such Person, so becoming Bankrupt, and thereof lawfully convicted, shall be adjudged to be, and suffer as a Felon, without Benefit of Clergy; and his Estate shall be divided amongst the Creditors seeking Relief under such Commission.

VII. *Señ. 4.* Upon Certificate under the Hands and Seals of the Commissioners, that such Commission is issued forth, and such a Person proved Bankrupt; the Judges of the Courts at *Westminster*, and all Justices of Peace within *England*, *Wales*, and Town of *Berwick*, are required to grant their Warrant for apprehending such Person, and to commit him to the Gaol of the County where taken, there to remain till removed by Order of the Commissioners, or major Part of them: And the Gaoler is required to receive such Person into his Custody, and forthwith to give Notice to one of the Commissioners of such Person's being in his Custody; and the Commissioners are to send their Warrant forthwith for the Delivering such

Bankrupt to the Persons authorized thereby to convey such Bankrupt to them to be examined: And the Commissioners are to seize the Goods and Effects of such Bankrupt, and his Papers, Writings, &c.

VIII. *Seß. 5.* Provided, That if such Person so apprehended, shall, within the Time allowed by this Act for that Purpose, submit to be examined, and in all Things conform as if he had surrendered, then such Person shall have the same Benefit as if he had voluntarily surrender'd.

IX. *Seß. 6.* The Commissioners are authorized to send for such Persons as they are informed, or believe, can give Information of any Acts of Bankruptcy, committed by any Person against whom a Commission is or shall hereafter be issued, and examine them, as well upon their Oaths, as otherwise, touching the same, in such Manner as they are by Law authorized touching such Bankrupt's Estate: And if any Person, upon Payment or Tender of reasonable Charges, shall neglect or refuse to appear; or being come, shall refuse to be sworn; or being Quakers to take the solemn Affirmation; or being sworn, or having taken such Affirmation, shall refuse to answer: Then the Commissioners, or major Part, may, by Warrants under their Hands and Seals, commit such Offenders to Prison, there to remain without Bail or Mainprize, till they submit to answer. Provided, No Person shall be obliged to travel above twenty Miles to be so examined.

X. *Seß. 7.* The Gaoler is required to keep such Persons so committed, and all Bankrupts who now are or hereafter shall be committed by the Commissioners, Judges or Justices, in close Custody, within the Walls of the Prison, till they shall submit to be examined, and conform to this and the other Acts concerning Bankrupts, or till they be discharged by the Lord Chancellor, or by the Commissioners, or otherwise by due Course of Law: And if such Person be removed by *Habeas Corpus*, the Gaoler of the Prison to which he shall be committed, shall confine him within the Walls of the Prison, till discharged as aforesaid: And if the Gaoler shall suffer such Bankrupt or Person to escape, or to go without the Walls of the Prison, till duly discharged, he shall forfeit 500 *l.* for the Use of the Creditors.

XI. *Seß. 8.* The Gaoler, on Request of any Creditor, who has proved his Debt, and shall produce a Certificate thereof under the Hands of the Commissioners, which they shall give *gratis*, shall forthwith shew the Person so committed to him, to such Creditor; which if he refuse to do, and shall not produce such Person to such Creditor, he shall forfeit 100 *l.* and for every other like Offence 200 *l.* to be recovered by Action of Debt in any Court of Record at *Westminster*; which Forfeitures shall be divided amongst the Bankrupt's Creditors.

XII.

XII. *Sec.* 9. Every Person who shall have accepted of any Trust, or shall conceal or protect any Estate of any Bankrupt, from his Creditors, and shall not within thirty Days after such Commission issued, and Notice thereof, discover such Trust and Estate in Writing to the Commissioners, and submit to be examined, shall forfeit 100 *l.* and double the Value of the Estate concealed, for the Use of the Creditors, to be recovered as aforesaid, in the Name of the Assignees; in which, as in other Cases, Costs shall be allowed to either Party.

XIII. *Sec.* 10. Any Person, who shall within sixty Days after the Time allowed to such Bankrupt to surrender and conform, voluntarily come in and discover any of the Bankrupt's Estate, shall be allow'd 3 *l. per Cent.* out of the neat Proceed of what shall be recovered on such Discovery, to be paid him by the Assignees.

XIV. *Sec.* 11. Where there hath been mutual Credit given to the Bankrupt and any other Person, the Commissioners shall balance the Account betwixt them, and what shall be due on the Balance shall be paid on either Side.

XV. *Sec.* 12. The Commissioners shall appoint within the said thirty Days, no less than three several Meetings, the last of which shall be on the thirtieth Day, limited for such Bankrupt's Appearance.

XVI. *Sec.* 13. There shall not be paid by the Creditors, or out of the Bankrupt's Estate, any Monies for Expences in eating or drinking of the Commissioners at any of their Meetings, or of any Creditors or others; and if any Commissioner shall order such Expence to be made, or take above 20 *s.* each, for each Meeting, or 20 *s.* for executing a Deed of Assignment or Dividend, or above 10 *s.* each, for executing a Warrant of Contribution or Seizure, every Commissioner so offending shall be disabled to act as a Commissioner in any Commission of Bankrupt.

XVII. *Sec.* 14. Persons surrendering and conforming themselves as by this Act directed, shall be allowed 5 *l. per Cent.* out of the neat Produce of the Estate that shall be recover'd, which shall be paid by the Assignees, so as the said 5 *l. per Cent.* amount not to above 200 *l.* and shall be discharged from all Debts owing at the Time of the Bankruptcy; and if any Bankrupt be prosecuted for any Debt due before that Time, he shall be discharged upon common Bail, and may plead that the Cause of Action accrued before he became Bankrupt, and give this Act and the Special Matter in Evidence; and if a Verdict pass for him, or the Plaintiff be nonsuit, &c. the Defendant shall recover Costs.

XVIII. *Sec.* 15. If the neat Proceed of such Bankrupt's Estate amount not to 8 *s.* in the Pound, clear of all Charges then,

then he shall not be allowed the *5 l. per Cent.* but shall be allowed so much as the Assignees and Commissioners shall think fit, not exceeding *3 l. per Cent.*

XIX. *Seff. 16.* No Discovery on Oath made by any Bankrupt, shall entitle him to the Benefits of this Act, unless the Commissioners shall certify to the Lord Chancellor, That he hath made a full Discovery of all his Estate and Effects, and in all Things conformed himself to the Directions of this Act; and that there appears not to them any Reason to doubt of the Truth of such Discovery, and that the same is not a full Discovery of all such Bankrupt's Estate and Effects; and unless four Parts in five in Number and Value of the Creditors shall sign such Certificate, and testify their Consent to such Allowance and Certificate, and to the Bankrupt's Discharge, to be also certify'd by the Commissioners; but the Commissioners shall not certify the same till they have Proof by Affidavit or Affirmation in Writing of the Creditors signing such Certificate, and the Power by which any Person shall be authorized to sign for them, which shall be laid before the Lord Chancellor with the Certificate, in Order for the allowing and confirming the same; and unless the Bankrupt make Oath, That such Certificate and Consent were obtained fairly and without Fraud; and unless such Certificate, after such Oath, be allowed by the Lord Chancellor, or by two of the Judges of the Courts at *Westminster*, to whom the Consideration of the Certificate, shall be referred by the Lord Chancellor: And the Creditors shall be heard, if they think fit, against the making such Certificate, and against the Confirmation thereof,

XX. *Seff. 17.* All Bonds, Bills, &c. or other Security, given by any Bankrupt, or other Person for him, to the Use of any Creditor, or for Security of the Payment of any Debt due from such Bankrupt at the Time of his Bankruptcy, or any Part thereof, between the Time of his becoming Bankrupt and his Discharge, as a Consideration, or with Intent to persuade such Creditor to sign any such Allowance or Certificate, shall be void, and the Monies thereby secured shall not be recoverable; and the Party sued on such Bond, &c. may plead the general Issue, and give this Act and the Special Matter in Evidence.

XXI. *Seff. 18.* After such Bankrupt shall have obtained a Certificate, and the same shall be duly confirmed, he shall, on fourteen Days Notice given him, or left at his Abode, by the Assignees, or their Order, attend them, in Order to settle any Accounts between him and any Debtor or Creditor of his Estate, or attend any Court of Record to be examined touching the same; or for such other Business as the Assignees shall judge necessary for getting in the Bankrupt's Effects; for the

Benefit of the Creditors; for which Attendance the Bankrupt shall be allowed 2 s. 6 d. *per Diem*, by the Assignees out of the Bankrupt's Effects: And if the Bankrupt shall refuse to attend or assist in such Discovery, (without good Cause shewn to the Commissioners) the Assignees making due Proof thereof on Oath before the Commissioners, they are required to issue their Warrant for apprehending such Bankrupt, and to commit him to the County-Gaol, there to remain in close Custody, without Bail or Mainprize, till he shall submit to be examined, and duly conform to the Satisfaction of the Commissioners, and be by them, or by Order of the Lord Chancellor, or otherwise by due Course of Law, discharged: And the Gaoler is to keep such Bankrupt in close Custody, under the Penalties before-mentioned.

XXII. *Stat.* 19. Nothing in this Act shall give any Privilege or Advantage to any Bankrupt, against whom a Commission hath issued since the 26th of May, 1716, or hereafter shall issue, who upon Marriage of any of his Children hath given above 200 l. unless he can prove by his Books, or upon Oath before the Commissioners, that at the Time thereof, over and above the Money so given, he had sufficient to satisfy his Debts; or who shall have lost in one Day 5 l. or 100 l. in twelve Months preceding his Bankruptcy, in playing at any Game, in bearing Part in Stakes or Wagers, or in betting on either Side.

XXIII. *Stat.* 20. No Commission of Bankrupt shall issue after the 25th of April, 1719, on the Petition of one or more Creditors, unless the single Debt of the petitioning Creditor amount to 100 l. or upwards; the Debt of two Creditors to 150 l. and the Debt of three, or more, to 200 l. or upwards: And the Creditors shall give Bond to the Lord Chancellor, conditioned for proving their Debts, as well before the Commissioners as on a Trial at Law, and the Party a Bankrupt; and if such Debt shall not appear to be due, or the Party shall not be proved a Bankrupt, but that such Commission was taken out fraudulently or maliciously; then the Lord Chancellor, on Petition of the Party grieved, may order Satisfaction to be made him for the Damages by him sustained, and for the better Recovery thereof, if there be Occasion, assign such Bond to the Party petitioning, who may sue the same in his own Name.

XXIV. *Stat.* 21. When any Commission shall issue after the 25th of April, 1719, the Commissioners, or major Part, shall forthwith, after they have declared the Person a Bankrupt, cause Notice thereof to be given in the *London Gazette*, and appoint a Time and Place for the Creditors to meet; which Meeting, for London and within the Bills of Mortality, shall be

be at *Guild-hall*, in order to choose Assignees of the Bankrupt's Estate: At which Meetings the Commissioners shall admit the Proof of any Creditor's Debt, who lives remote, by Affidavit, and permit any Person authorized by Letters of Attorney from any Creditor, to vote in the Choice of an Assignee; and the Commissioners shall assign the Bankrupt's Estate and Effects to such Persons as the Creditors shall so choose: And the Assignees shall keep Books of Account, in which they shall enter all Sums of Money, and other Effects of the Bankrupt's, which they get in; which Books the Creditors may inspect as often as they please.

XXV. *Stat. 22.* No Creditor, or other Person for him, shall vote in the Choice of Assignees, whose Debt amounts not to 10*l.* or upwards, and who shall prove his whole Debt as far as he is able, and pay Contribution-Money.

XXVI. *Stat. 23.* The Commissioners, for the better securing the Bankrupt's Estate, may immediately appoint Assignees thereof, who may be removed at the Meeting of the Creditors, if the major Part of them, whose respective Debts amount to 10*l.* or upwards, shall think fit: And the Assignees, so removed, shall deliver up and assign all Effects of the Bankrupt which shall be come to their Hands, to the Assignees so chosen by the Creditors; and all the Effects of the Bankrupt, so deliver'd up or assigned, shall be legally vested in such new Assignees: And if any of the first Assignees, by the Space of fourteen Days after Notice of the Choice of such new Assignees, and of their Consent to accept such Assignment, shall refuse or neglect, by Writing under their Hands, to make such Assignment and Delivery, every such first Assignee shall forfeit and lose his Debt, to be divided among the Creditors, as the Bankrupt's Estate ought to be; and to be recovered by Action of Debt, &c. in any of the Courts at *Westminster*, by such Persons as the major Part of the Commissioners shall appoint; with full Costs, wherein no Protection, &c. nor more than one Imparance, shall be allow'd.

XXVII. *Stat. 24.* Whereas after an Assignment made pursuant to the Choice of the Creditors, it has and may be found necessary to vacate such Assignment, and make a new one; therefore enacted, That the Lord Chancellor, &c. upon the Petition of any Creditors, may make such Order therein, as he or they shall think reasonable; and if a new Assignment be ordered to be made to such Creditors, the Debts and Effects of the Bankrupt shall thereby be legally vested in such new Assignees, and they may sue for the same in their own Names, discharge any Action or Suit, and give Acquittances, as effectually as the former Assignees might have done. And the Commissioners shall cause publick Notice to be given in the two *London Ga-*

that shall immediately follow, of such Removal and new Appointment of Assignees.

XXVIII. *Seß. 25.* The Assignees may make Composition with the Bankrupt's Debtors, and take such reasonable Part as can be gotten, in full Discharge of such Debts.

XXIX. *Seß. 26.* If any Bankrupt, after Commission issued against him, shall pay to the Persons who sued out the same, or deliver any Goods, or give Satisfaction for his Debt, whereby such Person shall privately have more in the Pound than the other Creditors, such Payment, &c. shall be deemed such an Act of Bankruptcy, whereby such Commission shall be superseded; and the Lord Chancellor may award another to any Creditors petitioning; and the Person so taking such Goods or other Satisfaction, shall pay back and deliver the same, or the full Value, to such Persons as the Commissioners acting under such new Commission shall appoint, in Trust for the other of the Bankrupt's Creditors.

XXX. *Seß. 27.* Bankers, Brokers and Factors shall be subject to this and the other Acts concerning Bankrupts.

XXXI. *Seß. 28.* No Farmer, Grazier, or Drover of Cattle, nor any Receiver-General of Taxes, shall be entitled, as such, to any of the Benefits given by this Act, or be deemed a Bankrupt within the same, or any other Statute.

XXXII. *Seß. 29.* This Act shall be deemed a publick Act; and if any Person be sued for what he shall do in Pursuance of it, he may plead the General Issue, and give this Act and the Special Matter in Evidence. This Act shall continue for seven Years, and from thence to the End of the next Session of Parliament.

XXXIII. *Seß. 30.* Upon the Petition of any Person, (claiming any Estate under any Commission) the Lord Chancellor may order the Commission, the Depositions proving the Bankruptcy, the Proceedings thereupon, the Certificates and other Matters and Things, to be entered of Record; and in Case of the Death of Witnesses proving such Bankruptcy, or if the Commission, &c. shall be lost, a true Copy of the Record may be given in Evidence: And all Certificates, allow'd and confirm'd, and enter'd of Record, or a true Copy of each, attested as herein-after is mentioned, may be given in Evidence in any Court of Record, and shall be a full Bar and Discharge of any Action, which shall be brought by any Creditor of such Bankrupt, for any Debt contracted before the Issuing of such Commission, unless the Creditor of the Person that hath such Certificate shall prove that it was fraudulently obtained; in which Case, Costs shall be allow'd to either Party. The Lord Chancellor shall appoint a certain Place near the Inns of Court, where the Commissions, Depositions, Proceedings, Certificates,

&c.

Or. shall be enter'd of Record, where all Persons, shall be at Liberty to search; and shall, by a Writing under his Hand, appoint a proper Person, who, by himself or his Deputy, to be approved by the Lord Chancellor, shall enter of Record such Commissions, &c. and have the Custody of the Entries thereof; and also appoint such Fee and Reward to be paid to such Person for his Labour and Pains, as he the Lord Chancellor shall think reasonable, not exceeding what is usually paid in like Cases; and such Person, or his Deputy, shall continue to enter of Record all the Matters and Things aforesaid, so long as they behave themselves well, and shall not be removed but by Order in Writing under the Hand of the Lord Chancellor, on a good and sufficient Cause therein specified: And in Case such Person shall die or be removed, the Lord Chancellor shall appoint another in his Room.

XXXIV. *Stat. 31.* Where any Commission hath been issued against any Bankrupt since the Expiration of the Act 4 & 5 A. c. 17. It shall be lawful, from and after the 1st of May, 1719, for the Creditors, or major Part, to meet together, on publick Notice in the Gazette of forty Days, either to allow of or remove the Assignees chosen by the Commissioners, and to elect others in their Place: And on electing such new Assignees, the Commissioners shall be re-invested and re-intituled to such Bankrupt's Estate, and are hereby impowered to dispose thereof, in as full a Manner as if no former Assignment had been made: And the said Commissioners, or major Part, are hereby obliged to execute a new Assignment to such new Assignees, who shall be legally vested in all such Part of the Bankrupt's Estate, as shall not have been got in, or is yet standing out, and undisposed of by the former Assignees, who shall join in such new Assignment by the Commissioners, and deliver over on Oath to the new Assignees, all Goods, Books, &c. in their Custody or Possession.

XXXV. *Stat. 32.* After the 25th of April, 1719, no Commissioner shall be capable of Acting, (except the Power hereby given of administering Oaths to Commissioners) until he hath taken the following Oath, viz:

I A. B. do swear, That I will faithfully, impartially and honestly, according to the Best of my Skill and Knowledge, execute the several Powers and Trusts reposed in me, as a Commissioner of Bankrupts, and that without Favour or Affection, Prejudice or Malice.

So help me God.

Which Oath any two or more Commissioners may administer to the others in the same Commission named; and they are required to enter and keep a Memorial thereof, signed by them

respectively, among the Depositions and other Proceedings on each Commission to be issued by Virtue of this or any other Act now in Force.

Münchelm-House.

I. Stat. 1 G. 2. c. 22. s. 34. Declared: That all the Debts actually incurred, and now remaining unsatisfied to Artificers and others, for Work and Materials for and on Account of Building the House of *Münchelm*, and other Works there, on or before the 1st of *Jan.* 1714. (when the late Queen first caused the Payments on Account of the said Building to be stopped) ought to be paid, and are hereby directed and enabled to be, paid out of the Monies now remaining of the 100,000*l.* authorized to be raised by the Act 12. *Ch. 2.* and out of the Arrears of the Revenues granted to her Majesty for the Uses of her civil Government; due at the Time of her Death, in such Manner, and by such Proportions only, as other her Majesty's Debts ought to be paid.

Bread.

I. Stat. 1 G. 2. c. 26. s. 4. The Act 3 A. c. 18. intituled; *An Act to regulate the Price and Affair of Bread*, which was continued by the Act 1 G. 2. c. 2. s. 8. and will expire at the End of this Session, shall continue and be in Force for three Years, and from thence to the End of the next Session of Parliament.

*H. Stat. 5. The Penalty of 40*s.* mention'd in the said Act of 3 A. for Want of Weight, or not being marked; shall, after the 1st of September, 1715, be repealed: And if any Baker, or other Person making Bread for Sale, shall, after the said 1st of September, make or expose to Sale any Bread wanting one Ounce, or more, of due Weight; (according to the Assize of Bread to be set pursuant to the Directions of the said Act) such Baker, &c. being thereof lawfully convicted, shall forfeit the Sum of 5*s.* for every Ounce wanting; and for any Bread wanting less than an Ounce, 2*s.* 6*d.* such Bread being complain'd of, and weigh'd before a Magistrate or Justice of Peace, or any Person by them appointed, within twenty-four Hours after it is baked or exposed to Sale, within London, Westminster, and Bills of Mortality, and within three Days in all other Cities, Towns and Places in England, Wales, and Town of Berwick; the said Forfeitures to be given to the Informer, and to be revived as the Penalty of 40*s.* is by the said Act of 3 A.*

III. *Stat. 6.* After the said 1st of September, 1715, every Baker may make and expose to Sale, Peck, Half-peck, Quartern, and Half-quartern Loaves, so as the same be made and sold, both as to Weight and Price, in Proportion to the Assize-Table contained in the said former Act.

IV. *Stat. 7.* After the said 1st of September, every Time the Assize shall be altered, the Price of Grain, Meal and Flour in the adjacent Markets (to be ascertain'd according to *Winchester-Measure*) shall be given in upon Oath, before the Mayor and Aldermen of London, or to the chief Magistrate or Justices, who by the said Act are empowered to set such Assize, by the Clerks of the adjacent Markets, or such other Person as the said Magistrate shall appoint, so that they may set the Assize accordingly, and make such Allowance to the Bakers as heretofore hath been accustomed: And the Assize of Bread for the City of London and Bills of Mortality (*Westminster, Southwark, and Bills of Mortality in Surrey* excepted) shall be set by the Court of Lord Mayor and Aldermen, or by the Lord Mayor, by Order of the said Court.

V. *Stat. 5 G. c. 25. Stat. 1.* Enacted, That the said Act of 8 A. which will expire at the End of this Session of Parliament, shall continue and remain in full Force, with such Alterations as were made by the preceding Act of 1 G. for the Term of five Years, and from thence to the End of the next Session of Parliament.

Buttons.

I. *Stat. 4 G. c. 7. Stat. 1.* Whereas the Act 8 A. c. 6. intitled, *An Act for employing the Manufacturers, &c.* has proved ineffectual to prevent the Mischiefs intended to be remedy'd thereby, be it enacted, That after the 25th of March, 1718, no Taylor, or other Person, within Great Britain, shall make, sell, set on, use or bind, or cause to be made, &c. on any Clothes, Buttons or Button-holes made of, or used or bound with Cloth, Serge, Drugget, Frize, Camblet, or any Stuffs that Clothes are usually made of, on Forfeiture of 40 s. for every Dozen of such Buttons and Button-holes, so made, &c. or in Proportion for a lesser Quantity: Conviction to be on the Oath of one or more Witnesses; to be recovered and distributed as hereafter is provided.

II. *Stat. 2.* Nothing in this Act shall extend to Clothes made of Velvet.

III. *Stat. 3.* Persons inhabiting in any Gaol or House of Correction, or in any privileged Place, or within the Liberties thereof,

thereof, offending against this Act, and being lawfully convicted, shall be subject to the Forfeitures and Penalties contained herein.

IV. Offences against this Act shall be prosecuted within three Months.

V. *Sec. 5.* All Offences against this Act shall be heard and determined by one or more Justices of the Peace of the County, City, &c. where the Offence shall be discovered, or where the Offender dwells, (such Justice being not concerned in the Matter) upon the Oath of one or more Witnesses, which Oath the Justice is empowered to administer. One Moiety of the Forfeitures, the Charges of Conviction first deducted, shall be paid to the Informer, the other to the Poor of the Parish where the Offence shall be discovered; and if any Offender shall refuse to pay the Forfeitures, being lawfully demanded, for the Space of fourteen Days after Conviction, then such Justice shall issue his Warrant to the Constable, to levy the same by Distress and Sale of the Offender's Goods, rendering the Overplus to the Owner; and for Want of Distress to commit the Offender to the common Gaol, there to be kept three Kalendar Months to hard Labour.

VI. *Sec. 6.* Provided, If any Person find himself aggrieved by the Justice's Order or Warrant, he may appeal to the Quarter-Sessions, whose Determination shall be final; and Costs shall be allowed to the Party grieved, to be levied in such Manner as is usual in other Cases of Appeals from the Orders of Justices to the Quarter-Sessions.

VII. *Sec. 7.* If any Action be commenced against any Person so prosecuted, he may plead the general Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff be nonsuited, forbear Prosecution, discontinue, or a Verdict pass against him, or Judgment on Demurrer, the Defendant shall have treble Costs.

VIII. *Sec. 8.* All wearing Garments, made with Buttons and Button holes of the same Cloth, &c. and exposed to Sale in any Place whatsoever, shall be forfeited and seised, and apply'd to the Uses in this Act.

IX. *Sec. 9.* If any Taylor or other Person shall cause his Apprentice or Servant to make any Clothes contrary to this Act, he shall be subject to the Forfeitures and Penalties in this Act mentioned. This Act shall be taken to be a publick Act.

Cards and Dice.

I Stat. 5 G. 2. 19. *Sett. ult.* Whereas by the Act of 10. 4. c. 19. it is provided, That Cards and Dice may be exported, free of Stamp-Duties, Bond being entred into to her Majesty with sufficient Sureties in a penal Sum of double the Duties on such Cards and Dice, with Condition for exporting the same within a Time limited, and that the same shall not be relanded in *Great Britain*; and such Bonds are to be left in the Hands of the Commissioners of the Stamp-Duties; which Provision has been found to be a Discouragement to the Exportation of Cards and Dice, such Bonds lying out against the Parties bound, tho' the Conditions have been performed, and some of the Obligors having been prosecuted on such Bonds several Years after the Dates thereof, and may be liable to the Penalties, tho' no Relanding be proved, for that the Proof is on their Part, and the Sureties are usually those who actually export the same, and therefore cannot be legal Witnesses for the Principal; and it is impracticable to bring living Witnesses from the *East and West-Indies, &c.* to prove the Landings and Consumptions thereof in such foreign Parts, and there is no Provision in the said Act for prosecuting the said Bonds in any limited Time: Therefore enacted, That as to such Bonds as have been entred into before the 6th of April, 1719, in Case there be no Prosecution for some Breach of the Conditions before the 6th of April, 1721, or if on such Prosecution, Proof be not made of some Fraud, and Judgment obtain'd before the 6th of April, 1722, then such Bonds shall be void: And all Prosecutions now depending, not commenced within two Years after the Date, and where Proof shall not be made, before the 6th of April, 1720, of some Fraud, shall cease: And as to such Bonds as shall be enter'd into after the 6th of April, 1719, if there be no Proof of Fraud, or if no Proof thereof be made within two Years after the Dates of the Bonds, or if Judgment be not obtained within one Year after the Prosecution commenced, then every such Bond shall be void: And all Bonds made void by this Act shall be deliver'd up by the Officers who have the same in their Keeping, to be cancelled, without Fee.

Churches.

Churches.

I. Stat. 1 G. 2. 23. *Sett.* 1. After reciting the Acts of 9 A. 2. 22. and 10 A. 2. 13. (which see in Vol. 1. sub hoc titulo) for the Building of fifty new Churches in and about the Cities of *London* and *Westminster*, it is enacted, That for all Sorts of Coals and Culm, which, after the 27th of September, 1724, and before the 28th of September, 1729, shall be imported into *London*, or the River of *Thames*, within the Liberty of the said City, there shall be paid, besides all other Duties, the Rates following, *viz.* For all Coals and Culm sold by the Chalders, for every Chalders containing thirty-six Bushels, *Winchester Measure*, 3 s. and for Coals sold by the Ton, for every Ton containing 2000 Weight, 3 s. which said respective Sums of 3 s. shall, during the Term aforesaid, be paid to his Majesty, &c. in the same Manner, at such Places, by such Rules, and under such Penalties, as are mentioned in any Acts now in Force for raising any other Duty payable to his Majesty for any Coals or Culm imported into the said Port of *London*: And that all the Powers, Penalties, &c. in the same Acts contained, (except such concerning which it is otherwise provided in this Act) shall be of such Force for raising and answering the Impositions hereby granted, during the Term before limited, as if the same were at large set down and enacted in this Act.

II. *Sett.* 2. All Sums of Money, which shall be raised by Virtue of this Act, (the necessary Charges of raising, &c. excepted) shall be brought into the Exchequer, and are hereby appropriated for and towards the providing due Maintenances for the Ministers to attend the Service of God in the new Churches to be erected in and about the Cities of *London* and *Westminster*, and shall be issued and apply'd in such Manner as shall hereafter be directed by Parliament.

III. *Sett.* 3. This Act shall not be construed to lay any Duty on such Coals (not exceeding 100 Chalders by the Year) as shall be brought into the Port of *London* for the Use of *Chelsea Hospital*.

IV. *Sett.* 4. The King, his Heirs and Successors, may by Letters Patent nominate and appoint such Persons, as his Majesty, &c. shall think fit, to be Commissioners, who, or any five of them, shall have Power to execute all the Powers, &c. in the said recited Acts: And also to inform themselves in what Manner, out of the Duties hereby granted, or otherwise, a due Maintenance may be provided for the said Ministers; and shall, by the 25th of *March*, 1716, report and certify to his

his Majesty in Writing, under their Hands and Seals, such Matters and Things as shall appear to them upon their Inquiries, with their Opinions thereon; and present a Duplicate thereof to both Houses of Parliament, that such farther Directions may be given thereon, as may be pursuant to his Majesty's Intentions in the Premises; and when such Appointment of new Commissioners, the Powers granted to the Commissioners in the former Letters Patent shall determine; nevertheless all Contracts made by the former Commissioners before the 10th of August, 1714, shall be of the same Force and Effect as if this Act had not been made.

V. Stat. 5. The Parish Church of *St. Mary Woolchurch, London*, and the Tower thereof, shall be rebuilt in such Manner as the said Commissioners already authorized, or those to be authorized by Vertue of this Act, shall direct; but of the Duties granted by the said recited Act of 9 A. 2. 22. and the Monies so employ'd for that Purpose shall be replaced and made good out of the Monies applicable by the Act of 9 A. 2. 11. to the rebuilding and finishing the said Church and Tower.

VI. Stat. 4 G. 2. 5. Sect. 1. The Tower of the Church of *St. Michael Cornhill, London*, shall be finished according to the Model by which it is begun; and which the Commissioners that are or shall be authorized by Vertue of the Acts of 9 A. 2. 22. and 1 G. 2. 23. are hereby impowered to direct and appoint; And 6 A. 2. 1. 3 d. being the Sum estimated for finishing the same, shall be issued by the Commissioners for that Purpose, out of the Duty granted by the said Act 9 A. 2. and the said Sum shall be laid out as the said Work shall require, in rebuilding the said Tower, according to the said Model, till the same be finished.

VII. Stat. 4 G. 2. 14. Sect. 1. Reciting the two Acts of the 9th and 10th of the late Queen, for the Building of fifty new Churches; Or: and that whereas the Parish Church of *St. Giles in the Fields, Middlesex*, is become very ruinous; therefore enacted, That the Commissioners that are or shall be appointed by Vertue of the two recited Acts, shall cause the said Church of *St. Giles in the Fields* to be rebuilt in such Manner as they shall think fit, and allow such Sums of Money as shall be necessary for that Purpose, and the said Church to be taken as one of the fifty new Churches to be built in Pursuance of the said Acts: And the Commissioners may do all other Acts relating to the same, that they are impower'd to do by Vertue of the said Acts, in as ample a Manner as if the same had been a new Scite directed by the said Commissioners, to have been built in Pursuance of the said Acts.

VIII. *Stat. 2.* Whereas *William Boylrigg Esq.* erected at his own Costs the South Gallery in the said Church of *St. Giles in the Fields*, and gave the Profits to arise thereby to the Poor of the said Parish: Be it enacted, That when the said Church shall be rebuilt, a South Gallery shall be built, (out of the Monies hereby directed to be apply'd for rebuilding the said Church) instead of that now there, and a sufficient Sum of Money shall be set apart for that Purpose; and the Profits arising by the said Gallery, when built, shall be apply'd to the same Uses as the Profits of the said Gallery are now applicable.

IX. *Stat. 5 G. 2. 9. Stat. 1. Per. inde.* After reciting the Acts of 9 A. 2. 22. 10 A. 2. 17. and 1 G. 2. 23. for granting several Duties on Coals and Culm, for building fifty new Churches, &c. and for making Provision for the Ministers; it is enacted, That for all Sorts of Coals and Culm, which, after the 27th of September, 1725, and before the 25th of March, 1751, shall be imported into the Port of London, or the River of Thames within the Liberty of that City, there shall be paid, over and above all other Impositions, 3 s. per Chalder, and 3 s. per Ton.

X. *Stat. 2.* The said respective Duties for Coals and Culm, which, from Time to Time, after Lady-day, 1719, and before Lady-day, 1751, shall be imported as aforesaid, shall be under the Management of the Commissioners of the Customs, according to such Directions as shall be given by the Treasury; and shall be raised, collected, &c. in such Manner, &c. as are mentioned in any Act now in Force, for raising, &c. any other Duties on Coals and Culm imported Coast-wise into the said Port: And all the Powers, Penalties, &c. in the said Acts contained, shall be of such Force as if the same were at large enacted by this Act.

XI. *Stat. 3.* The like Clause in Behalf of *Chelsea-Hospital*, is in the Act 1 G. which see above, *Per. 111.*

XII. *Stat. 4.* All the Monies arising by the said Duties after Lady-day, 1719, and before Lady-day, 1751, shall be paid into the Exchequer, and appropriated to the several Uses in this Act prescribed.

XIII. *Stat. 5.* For raising the Sum of 360,000 l. in such Proportions at a Time as shall be needful for building the said Churches, a yearly Fund of 21,000 l. shall, after Lady-day, 1719, during the Term of thirty-two Years from thence next ensuing, be a Security for paying Principal and Interest of the said Sum of 360,000 l. in such Manner as in this Act is prescribed: And the Treasury are required to cause the said yearly Sum of 21,000 l. to be apply'd accordingly, with Preference to any other Payments out of the said Duties.

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XIV. *Señ. 6.* The Treasury are to direct the Officers of the Exchequer to receive by Way of Loan, from any Persons who are willing to make such Loans on the Credit of the said Sum of 21,000 *l. per Annum*, such Sums as any five of the Persons to be appointed by Commission under the Great Seal, shall think necessary to be raised from Time to Time, for the Buildings, Repairs, and other Purposes, by the said recited Acts intended, and to allow Interest at 4 *l. per Cent. per Annum*; and the Moneys so lent shall be Tax-free; and the Lenders shall have Tallies of Loan, and Orders for Repayment; the Principal to be paid in Course according to the Dates of the Tallies, and the Interest every three Months; and the Rest of the Money of the said Fund then in the Exchequer, shall be apply'd towards paying off the Principal; and the Interest to be proportionably sunk as the Principal is paid off; and no Fee or Reward shall be taken for the Payment thereof; and the said Fund of 21,000 *l. per Annum* shall be liable to satisfy such Orders, without being diverted to any other Use, on Pain of treble Damages, with full Costs to the Party grieved; and such Orders shall be assignable according to the Course of the Exchequer.

XV. *Señ. 7.* The Monies arising by Way of Loan on Credit of the said 21,000 *l. per Annum*, and all the Monies of the said Fund, (except so much as is to be apply'd towards Repayment of the Principal and Interest of the Loans to be made thereupon) shall be apply'd towards building of Churches, &c. repairing *Westminster-Abbey*, finishing *Greenwich-Hospital*, making Provision for Ministers, &c.

XVI. *Señ. 8.* The Principal of the Loans, together with the Monies supply'd out of the particular Fund it self, shall not exceed the said Sum of 360,000 *l.*

XVII. *Señ. 9.* The Treasury are to issue and pay, out of the Monies arising by Way of Loan on Credit of the said particular Fund of 21,000 *l. per Annum*, and out of the Monies of such Fund, such Sums as the Commissioners to be appointed to take Care of the said Buildings, &c. shall think necessary; which shall be paid to such Person as his Majesty shall appoint to be the Treasurer, who is to disburse the same according to such Orders and Warrants as he shall receive from the Commissioners, and is to be accountable in the Exchequer, and shall give Security to be approved by the Treasury before he enters on his Office.

XVIII. *Señ. 10.* The Produce of the said Duties, which shall be brought into the Exchequer before *Lady-day, 1719*, shall be issued and apply'd in such Manner as the same ought to have been in Pursuance of the said former Acts, if this Act had not been made: And if any Money shall remain unsatisfy'd for Principal or Interest upon the Register of Loans, by

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Verue of the said Acts of the 9th and 10th of the late Queen, the Remainder thereof shall be paid out of the said Monies to be raised in Part of the said 360,000 l.

XIX. *Señ. 11.* All the Powers, Proviso's, Directions and Clauses in the said Acts of 9. A. c. 22. 10. A. c. 11. and 2 G. c. 23. or in any other Act for building the said Churches, (not hereby altered) shall continue in Force, as if they were re-enacted in this Act.

XX. *Señ. 12.* The King may appoint the Commissioners to execute all the Powers in the said recited Acts, as shall remain to be executed, and all the Powers in this Act touching the Building and Repairing of the said Churches.

Clergy.

I. *Stat. 1 G. c. 10. Señ. 1.* Reciting, That whereas it is necessary, that the Governors of the Bounty of Queen Anne, for Augmentation of the Maintenance of the poor Clergy, should be exactly informed of the improved yearly Value of the Maintenance of all such Parsons, &c. officiating in any Church or Chapel in England, Wales, or Berwick, where the Liturgy and Rites of the Church as by Law established, are observed, whose Maintenance is intended to be augmented; be it enacted, That the Bishops of every Diocese, and the Guardians of the Spiritualities, *Sede vacante*, be empower'd to inform themselves, as well by the Oath of two credible Witnesses, (which they, or others commission'd by them, and hereby empower'd to administer) as by other Ways and Means, of the clear yearly Value of every Benefice with Cure of Souls, and of the Maintenance of every Parson, &c. officiating in such Churches or Chapels within their Dioceses, or any Péculars, and how such yearly Values arise, with the other Circumstances thereof, and to certify the same to the said Governors for their better Information in the Premises.

II. *Señ. 2.* Where by Certificates duly returned into the Exchequer, pursuant to the Acts 5. A. c. 24. and 6. A. c. 27. the yearly Value of Livings, not exceeding 50 l. *per Annum*, are particularly specify'd, such Certificates shall ascertain the yearly Value of such Livings, in Order to their being augmented by the said Governors, and no different Valuation thereof shall be returned by Vertue of this Act.

III. *Señ. 3.* Whereas in Pursuance of the late Queen's Letters Patent, dated in the 3d Year of her Reign, for incorporating the Governors of the Bounty of Queen Anne, the said Governors did agree upon, prepare and propose to her said late Majesty, certain Rules and Constitutions for the better Government of the said Corporation, which Rules, &c. the said late

late Queen did, by Letters Patent, dated in the 11th Year of her Reign, establish, reserving to her Self, her Heirs and Successors, Power, under her and their Great Seal to alter the same, and to make such other Rules, &c. as to her Majesty, &c. should seem meet: And whereas a more expeditious Method of making and altering the said Rules, &c. may tend to the Advancement of the said Charity; therefore enacted, That all such Rules, &c. as shall be by the said Governors agreed on and proposed to his Majesty, and approved under his Sign Manual, shall be as valid as if the same were established under the Great Seal.

IV. *Seff. 4.* All such Churches, Curacies or Chapels, as shall hereafter be augmented by the Governors of the said Bounty, shall, from thenceforth, be perpetual Cures and Benefices; and the Ministers duly nominated and licensed thereunto, and their Successors, shall be esteemed in Law Bodies politick and corporate, and shall have perpetual Succession by such Name as in the Grant shall be mentioned, and shall have a legal Capacity to take in Perpetuity to them and their Successors, all such Lands, Tithes, &c. as shall be granted to or purchased for them by the said Governors: And the Improprators or Patrons of any augmented Churches or Donatives, and the Rectors and Vicars of the Mother-Churches, whereto such augmented Curacy or Chapel appertains, shall be and are hereby excluded from having any Profit or Benefit by such Augmentation, and shall pay to the officiating Ministers such annual and other Pensions, as of Right, by ancient Custom, or otherwise, and not of Bounty, ought to be paid, and which they might by Law, before the making of this Act, have been compelled to pay, and such other yearly Sums as shall be agreed on, (if any shall be) between the said Governors and Patrons; and the same are hereby vested in the Ministers officiating in such augmented Churches, &c.

V. *Seff. 5.* Provided, That no Rector or Vicar of such Mother-Church, or his Successors, shall be hereby discharged from the same; but the Cure of Souls, with all other parochial Duties, (such Augmentation and Allowances only excepted) shall remain in the same Plight as before the making of this Act.

VI. *Seff. 6.* If such augmented Cures shall remain void six Months, without any Nomination of a Person to serve the same, they shall lapse to the Bishop, &c. according to the Course of Law in Cases of presentative Livings; and the Right of Nomination to such augmented Cure, may be granted or recovered, and the Incumbency thereof shall cease, in like Manner as the Presentation to, or Incumbency in any Vicarage presentative, may now be granted, recovered or determined.

VII. *Seß. 7.* Provided, That if the Person intituled to nominate shall suffer Lapse to incur, but shall nominate before any Advantage taken by the Ordinary, &c. such Nomination shall be as effectual as if made within six Months, tho' so much Time be before elapsed as that the Title be vested in the Crown.

VIII. *Seß. 8.* Whereas the late Queen, to encourage Benefactions from others, was pleased to order, That the said Governors may give 100*l* (which is the stated Sum to be allowed to each augmented Cure) to Cures not exceeding 35*l. per Annum*, where any Persons will give the same, or a greater Sum or Value; and the Right of Presentations to small Livings being of inconsiderable Value, yet may be a great Inducement to such Benefactions, if the Benefactor may have that Right to the Cure which he contributes to augment; therefore enacted, That all Agreements with such Benefactors, with the Consent of the said Governors, touching the Patronage to such augmented Cures, made for the Benefit of such Benefactor, by the King, or by Bodies Politick, &c. shall be good in Law against them, according to the Form of such Agreement: And the Patronage, &c. of such augmented Churches shall be vested in such Benefactors, as against his Majesty, or the said Bodies Politick, &c. as fully as if the same had been granted by his Majesty, &c. to such Benefactors, according to such Agreements.

IX. *Seß. 9.* The Agreements of Guardians for Infants or Idiots, shall be as good as if such Infants and Idiots had been of full Age and sound Mind, and entered into such Agreements.

X. *Seß. 10.* Such Agreements by any Parson or Vicar shall be with the Consent of his Patron and Ordinary.

XI. *Seß. 11.* Provided, That if any such Agreement be made by a Person seized in Right of his Wife, she shall be a Party to the Agreement, and seal and execute the same.

XII. *Seß. 12.* Such Agreements shall be as effectual for supplying Cures vacant at the Time of such Augmentation, as for the Advowson or Nomination to future Vacancies.

XIII. *Seß. 13.* It shall be lawful, with the Concurrence of the said Governors, and the Incumbent, Patron and Ordinary of any augmented Living, to exchange all or Part of the Estate settled for the Augmentation, for any other Estate in Lands or Tithes, of equal or greater Value, to be conveyed to the same Uses.

XIV. *Seß. 14.* All augmented Donatives shall be subject to the Visitation and Jurisdiction of the Bishop of the Diocese.

XV. *Seß. 15.* Provided, That no Donative shall be augmented without the Consent of the Patron first had in Writing.

XVI. *Señ. 16.* Provided, That where it shall fall to the Lot of any Donative, Curacy or Chapelry to receive an Augmentation, the Governors before they make the same, may agree with the Patron, &c. for a perpetual yearly Allowance to the Minister of such augmented Donative, &c. which Agreements shall be as effectual as Agreements made touching the Patronage of the same Cures: And if such Impropiator, other than the King, and such Parson or Vicar, will not make such Agreement, the Governors may refuse such Augmentation, and apply the Money arising from the late Queen's Bounty, which ought to have been employ'd therein, for augmenting some other Cure.

XVII. *Señ. 17.* The Certificate for the Diocese of *Chichester*, dated the 24th of *December*, 1708, which was received in the Exchequer, and is now remaining there, shall be as effectual as if it had been return'd into the said Court within the Times limited by the Acts 5 *A. c. 24.* and 6 *A. c. 27.* and the Churches therein certify'd to be under 50 *l. per Annum*, and each Mediety therein, shall have the Benefit of the Discharges by the said Acts, as fully as if the precise yearly Value had been expressed, and the Medieties distinguished in such Certificate: And the said Governors, under their common Seal, &c. may certify into the Exchequer, the Names of such Prebends under 50 *l. per Annum*, whose Prebendaries have the Cure of Souls of the Parishes whereof such Prebends are denominated, tho' the same were not named in any former Certificate, and such Certificate shall be as effectual as if the Prebends therein named had been certify'd within the Times, by the Persons and in the Manner in the said Acts limited and directed.

XVIII. *Señ. 18.* Whereas several Livings within the Dioceses hereafter named, tho' under 50 *l. per Annum*, have not been certify'd, or the Certificates have been lost, or not duly entered, or by some other Mistakes the said Livings have not had the Benefits designed them by the said Acts; therefore enacted, That the Bishops of the several Dioceses may, before the 25th of *March*, 1716, certify into the Exchequer the Livings following, or such of them as shall appear to them to be under 50 *l. per Annum*, viz. In the Diocese of *York*, the Rectory of *St. Michael apud pontem de Ouze* in the City of *York*, the Vicarages of *Skipwith*, *Kilham*, *North-Leverton*, and *Norwell-Hall*: In the Diocese of *Bangor*, the Vicarages of *Llananda*, *Llanfair-Isgaer*, *Llanor*, *Nevin*, *Abererch*, *Conway*, and *Dwygyfyllhe*: In the Diocese of *Carlisle*, the Rectories of *Kirkbride* and *Dufon*, and the Vicarage of *Edenhall*: In the Diocese of *Chichester*, the Vicarages of *Sels* and *Bernahill*, and the Rectories of *Beate Maria* in *Westrut Lower*, *Chalton* and *Winchelsea*: In the Diocese of *St. Davids*, the Vicarages of *Merchir alias Mathre*,
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and *St. Winneck* alias *St. Twinnells*: In the Diocese of *Litchfield* and *Coventry*, the Vicarages of *Hartington* *St. Mary's* in *Litchfield*, and *Glossop*, and the South Mediety of *Darleigh*: In the Diocese of *Lincoln*, the Rectories of *Bilfew* alias *Hellow*, *Normanby*, *Snarford* and *Okeney*; and the Vicarages of *Elsham*, *Buckingham*, *Meutmore*, *Missenden Magna*, and *Swanburn*: In the Diocese of *Norwich*, the Vicarages of *South Walsam*, *Burnham-Overy*, *Scarning*, *Nectons*, *Melton Parva*, *Thurston*, *Colkirke*, *Henly*, and *Finborow Parva*; and the Rectories of *Framlinghams*, *Repham*, *Medietas* & *altera Medietas*, *Catfields*, *Newborn*, *Culpho*, *Dunwich*, *Johannis*, *Pakefields*, *Melford longa*, *Willingham* alias *Ellough*, and *Bromeswell* in *Wilford*: In the Diocese of *Oxford*, the Vicarage of *Stanton-Harcourt*: In the Diocese of *Peterborough*, the Vicarage of *Cramley*; and in the Diocese of *Winchester*, the Vicarages of *Shalford* and *Ellingham*; and the Vicarages so certified shall have the Benefit of the two above-mentioned Acts, as effectually as if they had been duly certify'd within the Times limited by them.

XIX. *Seß.* 19. The Courts and Committees of the said Governors are authorized to administer an Oath to such Persons as shall give them Information concerning any Matters relating to the Execution of this or the said former Acts, or concerning the Trust in them reposed.

XX. *Seß.* 20. All Augmentations, &c. to be made in Pursuance of this Act, shall be entered in a Book, to be kept by the Governors for that Purpose; the said Entries being approved and attested by the Governors, shall be taken as Records; and attested Copies thereof produced by two or more Witnesses, shall be good Evidence in Law, touching the Matters contained therein.

XXI. *Seß.* 21. If the Governors shall, by Deed in Writing under their common Seal, allot to any Church or Chapel, any Lands, Tithes or Hereditaments arising from the said Bounty, or from private Benefaction, and declare the same to be forever annexed to such Church, &c. then such Lands, &c. shall from thenceforth be enjoyed by, and go in Succession with such Church, &c. Provided such Deed be inrolled in Chancery within six Months after the Date thereof.

XXII. *Stat.* 3 G. c. 10. *Seß.* 1. Enacted, That the Archbishops and Bishops of England, who by Stat. 26 H. 8. c. 3. and by other subsequent Statutes, are constituted Collectors of the Revenue of the Perpetual yearly Tenths within their several Dioceses, and charged with the Receipt and Payment of such Collection, and made accountable for the same, be, from the 26th of December last past, exempted from collecting the said perpetual yearly Tenths from thenceforth accruing, of all

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Dignities, Benefices, &c. and from being chargeable with the Receipt, and accountable for the Collection of the same.

XXIII. *Seff. 2.* After the said 26th of *December*, there shall be one Collector or Receiver of the said perpetual yearly Tenth, granted to the Corporation of the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the poor Clergy, by Letters Patent of the said late Queen, dated the third of *November*, in the third Year of her Reign, in Pursuance of the Act 1 A. 6. 11. (*which see in Vol. 1. tit. Churches*) Which Collector is to collect all such Monies wherewith all such Dignities, Benefices, &c. are chargeable, and shall pay the same yearly into the Exchequer, in such Manner as is herein after mentioned; and every such Collector, his Lands and Tenements, shall stand charged for the Payment thereof: Such Collector shall from Time to Time be appointed by his Majesty, by Letters Patent; and before he enters on his Office, take his Oath for the faithful Execution thereof, before any seven of the Governors in a general Court; and shall likewise give Security to the said Corporation, or to such Persons as they shall appoint, for his true Accounting for, and Payment of all Monies he shall receive by Vertue of the said Office, and for the due Discharge thereof: And the said Collector is empower'd to receive the said Revenues, and give Acquittances to Persons paying the same; which Acquittances shall be a full Discharge to them; and for every such Acquittance 6*d.* shall be paid, and no more: He shall keep his Office in some convenient Place in *London* or *Westminster*, and give Attendance at such Times as the said Governors in their Court shall order, between *Christmas* and the last of *April* yearly; of which Times and Place the said Governors shall give Notice in the *London Gazette*, one Week at least before the said Feast-Day; whereof every Archbishop, Bishop, Incumbent, &c. are to take Notice, and observe the same in the Payment of their respective Proportions of the said Perpetual yearly Tenth, wherewith they are charged, without any farther Notice to be given by Summons, Demand, or otherwise; and in Default to forfeit to the King double the Value of the Tenth; And such Collector shall make Payments and pass his Accounts at such Times and in such Manner, as the Archbishops and Bishops were directed to do by the Acts of 20 H. 8. c. 3. 32 H. 8. c. 22. and 7 E. 6. c. 4. (*All which Statutes see in Vol. I. tit. First-fruits and Tenth.*)

XXIV. *Seff. 3.* If any Archbishop, Bishop, or Incumbent, &c. chargeable with the Payment of the said perpetual yearly Tenth, shall not duly tender the same yearly, before the last of *April*, succeeding the *Christmas* whereon the same shall become due, then on Certificate thereof by the Collector, on or before the 1st of *June* following, he shall be allowed on his Ac-

count all such Money as the Archbishop, &c. against whom such Certificates shall be made, ought to have paid; and the Treasurer, Chancellor and Barons of the Exchequer, shall issue on every such Certificate such Process as to them shall seem proper, against such Archbishop, &c. his Executors, &c. whereby such Portion of the said yearly Tenths, wherewith such Archbishop, &c. is charged, shall be levied and paid into the Collector's Hands; which Money he shall bring to Account, and charge himself therewith in his next Account.

XXV. *Stat.* 4. Provided, That this Act shall not discharge any Archbishop, &c. liable to the collecting, &c. the said perpetual yearly Tenths, for any Money wherewith they were chargeable, and not accounted for before the making of this Act. And the said Statute of 26 H. 8. c. 3. and all other Laws, &c. touching the imposing, levying, &c. of the said First-Fruits and Tenths, or touching the Charge, Discharge, or Alteration of them, which were in Force at the Making of this Act, and are not hereby repealed or altered, shall continue in full Force.

XXVI. *Stat.* 5. Provided also, That this Act shall not avoid or any Way affect any Grant, Exchange, Alienation or Incumbrance, heretofore made upon the said Revenues; but the same shall respectively remain in Force, as if this Act had never been made.

Coaches, Carts, Drays, &c.

I. *Stat.* 1 G. c. 57. *Stat.* 1. Enacted, That for the better regulating and ordering such Persons as are licensed to keep or drive Hackney-Coaches, and the Renters of such Licences or Drivers of such Coaches, and to prevent Disturbances and Inconveniences in the Streets and Highways where such Coaches shall stand and be driven, the Commissioners authorized to put the Act 9 A. c. 23. in Execution, or major Part of them, may make such Orders, By-Laws, and Ordinances, to bind all Persons licensed to keep Hackney-Coaches, the Renters of such Licences and Drivers of such Coaches, and to annex such Penalties as the said Commissioners shall think fit; so as such Orders, &c. be made agreeable to the Intent of this and former Acts concerning Hackney-Coaches, and be for the better putting them in Execution, and for the good Government of the Persons licensed to keep Coaches, the Renters of such Licenses, and Drivers of such Coaches, and contain not any Thing repugnant to the Laws of this Realm: The said By-Laws to be approved and put in Execution, as by the said Act 9 A. c. 23. is directed.

II. *Señ. 2.* If any Hackney Coachman or Driver shall refuse to go at, or shall exact more for his Hire, than according to the said Act, or By-Laws made pursuant thereto, shall be limited and appointed, he shall for every such Offence forfeit a Sum at the Discretion of the said Commissioners, not exceeding 3 *l.* nor under 10 *s.* the said Offences to be determined and the Penalties recovered, levied and apply'd as by the said Act is directed concerning the 40 *s.* Penalty for the said Offences.

III. *Señ. 3.* After the 24th of June, 1715, no Person shall stand, ply or drive for Hire, with any Coach, Horse, or Coach-Horses, to attend on any Funeral in London, Westminster, or Suburbs of the same, or within the Weekly Bills of Mortality, except Persons licensed by the said Commissioners, on Pain to forfeit 5 *l.* for every such Offence; the said Offence to be determined, and Penalty to be recovered and apply'd, as by the said Act of 9 *A.* is directed, concerning the Penalty for driving Hackney Coaches without Licence.

IV. *Señ. 4.* If any Person shall drive a Mourning-Coach or Horse to any Funeral, except the same shall have a Number fixed on the Fore-standard of such Coach or Horse, or in some other Place to be appointed by the Commissioners, or except the same be the Coach of some Gentleman, attending the Master, Mistress, or any of the Family; the Commissioners, upon Information given them thereof, may summon before them the Driver of such Coach or Horse, against whom, not appearing on such Summons, the Commissioners are impowered to proceed, and tho' no express Hiring shall be proved, yet unless the Party appear, and prove a previous Order from the Owner of such Coach, &c. to attend at such Funeral, it shall be adjudged a Driving for Hire, and the Party shall forfeit 5 *l.* for such Offence, to be recovered of the Driver of such Coach, &c. or of the Undertaker of such Funeral, and to be levied and applied as aforesaid.

V. *Señ. 5.* If any Person be sued for any Thing done in Pursuance of this Act, he may plead the general Issue, and give this Act and the Special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff have Judgment against him on Demurrer, be nonsuited, discontinued, or forbear prosecuting his Action, the Defendant shall have double Costs, to be recovered as in other Cases where Costs by Law are given to Defendants.

VI. *Señ. 6.* No Writ of *Certiorari* shall supersede Execution, or other Proceeding, upon any Order of the said Commissioners; but Execution, &c. shall be had and made thereon, notwithstanding such Writ.

VII. *Señ. 7.* The Alderman of every Ward of the said City, and every Justice of Peace within his Jurisdiction, in the

86 Coaches, Carts, Drays, &c. Coals.

said Cities and Counties, may inflict and levy the like Penalties, for any Offences contrary to this Act, within the Places aforesaid, in the same Manner as the said Commissioners may: Provided, That no Person be punished twice for the same Offence.

VIII. *Seff. 8.* If any Carter, Drayman, Carman and Waggoner, driving any Cart, Dray, Car or Waggon, in the Streets of London and Westminster, Southwark, and other Streets and Lanes within the Bills of Mortality, shall, after the 24th of June, 1716, ride upon such Cart, &c. not having some other Person on Foot to guide the same, every such Offender being thereof convicted before the Alderman of the Ward, or a Justice of Peace for the City or County where the Offence is committed, by the Oath of one or more credible Witnesses, shall for every Offence forfeit 10 s. to be levied by Distress and Sale, by Warrant of such Alderman or Justice, rendering the Overplus to the Owner; one Moiety to the Informer, the other to the Poor of the Parish where the Offence is committed; and in Default of Payment of the said Forfeiture, the Offender to be sent to the House of Correction, there to be kept to hard Labour.

IX. *Seff. 9* Nothing in this Act shall deprive the Mayor, &c. of London, and Governors of Christ's Hospital of the Power they have to punish any the said Offences, in the same Manner as they now do. such Offender not having been punished before for the said Offence by Virtue of this Act.

Coals.

I. *Stat. 1 G. c. 26. Seff. 1.* Enacted, That the Act 9 A. c. 28. intituled, *An Act to dissolve the present, and prevent the future Combination of Coal-Owners, Lightermen, Masters of Ships, and others, to advance the Price of Coals, in Prejudice of the Navigation, Trade, and Manufactures of this Kingdom, and for the farther Encouragement of the Coal Trade;* which Act will expire at the End of this Session of Parliament, shall be made perpetual. See the Act in Vol. 1. tit. Coals and Coal-Owners.

Cochineal.

I. *Stat. 1 G. c. 40. Seff. 1.* After the 31st of March, 1716, during the Space of five Years, it shall be lawful for any Persons to import Cochineal into this Kingdom, in any Vessels belonging to any Kingdom or State in Amity with his Majesty, from

from any Ports or Places whatsoever: Any Act to the contrary notwithstanding.

Coinage.

I. Stat. 1 G. c. 43. *Seff.* 1. Enacted, That such and the like Rates, Duties and Impositions, as were granted by the Act 18 C. 2. c. 5. and which by several subsequent Acts, (*viz.* by 25 C. 2. c. 8. 1 J. 2. c. 7. 4 & 5 W. & M. *Seff.* 4. c. 24. *Seff.* 3. 12 W. 3. c. 11. and 7 A. c. 24.) were revived and continued, upon the Importation of Wines, Vinegar, Cyder, Beer, Brandy and Strong-Waters imported, shall be farther continued and paid to his Majesty, &c. upon all Wines, &c. imported into *Great Britain* during seven Years, (to commence from the 1st of *March*, 1715,) and till the End of the first Session of Parliament then next following; and all the said former and other Acts concerning Coinage, and every Clause, &c. in them contained, and now in Force, shall continue and be put in Execution, during all the said Term, as fully as if they were repeated in this Act.

II. *Seff.* 2. It shall be lawful for the Treasury, out of the Monies arising by this Act, or any other Supplies granted by Parliament, to cause the necessary Money to be apply'd for defraying the Expences of the Mints of *England* and *Scotland*, by Way of Imprest and upon Account; so as the same, with the Coinage-Duties arising by this Act, exceed not in any one Year 15,000 *l.* and so as the said Monies be issued out of the Exchequer of *Great Britain*, to the Master of the Mint in *England*, and the General of the Mint in *Scotland*.

Cornwal.

I. Stat. 1 G. c. 37. *Seff.* 8. All Leases or Grants made by his Royal Highness the Prince of *Wales*, of any Manors, Offices, Messuages, Parks, Lands, Tithes, Tenements or Hereditaments, Parcel of the Possessions of the Dutchy of *Cornwal*, or annexed to the same, shall be good in Law, according to the Purport of the said Leases or Grants, against the King, his Heirs and Successors, against his said Royal Highness and his Heirs, and against all Persons who shall succeed to the said Dutchy.

II. *Seff.* 9. Every Lease and Grant so made of any Manors, &c. in Possession shall be for three Lives or fewer, or for thirty-one Years, or under; and if such Lease or Grant be made in Reversion, then the same, together with the Estate in Possession, shall not exceed three Lives or thirty-one Years,

and shall not be made dispunishable of Waste; and so as there be reserved the ancient Rent, or such Rent as hath been reserved for the greater Part of twenty Years; and where no such Rent hath been reserved, then there shall be reserved a Rent not under the twentieth Part of the clear yearly Value of the Manors, &c.

III. *Stat. 10.* All Covenants, Conditions, Reservations and Agreements contained in every such Lease or Grant, shall be good in Law, as well for and against them to whom the Reversion of the same Manors, &c. shall come, as for and against them to whom the Interest of such Leases shall come, as if his said Royal Highness, at the Time of making such Covenants, &c. had been seised of an Estate in Fee-simple in the same Manors, &c.

IV. *Stat. 11.* Saving to all Persons, their Heirs, &c. (other than his said Majesty, his Heirs and Successors, and other than the said Prince and his Heirs and Successors, and all Persons who shall hereafter enjoy the Duchy of Cornwall, by Force of an Act of Parliament, or other Limitation) all such Rights, &c. to the said Manors, &c. Parcel of the said Duchy of Cornwall, as they had before the Making of this Act.

V. *Stat. 1 G. c. 45. Stat. 1.* After the 20th of May, 1716, the Holding of the Assizes for the County of Cornwall shall not be confined to the Town of *Lanncoston*; but the Lord Chancellor or Lord Keeper, for the Time being, with the Advice of the Justices of Assize, may appoint a convenient Place in the said County, for holding and executing all Commissions of Assize and *Nisi prius*, *Oyer and Terminer*, and Gaol-Delivery for that County, in such Manner as he is by Law authorized to do for any other County in England.

Corporations.

I. *Stat. 5 G. c. 6. Stat. 1.* Enacted, That all Members of Corporations, and all Persons required by the Act 13 C. 2. *Stat. 2. c. 1.* (which see in Vol. 1. sub hoc titulo.) to take the Oath and subscribe the Declaration therein contained, are hereby confirmed in their several Offices, notwithstanding their Omission to take the said Oath, or to subscribe the said Declaration; and shall be indemnify'd from all Incapacities, Disabilities, Forfeitures and Penalties, arising from such Omission; and none of their Acts shall be questioned or avoided for the same.

II. *Stat. 2.* So much of the said Statute as requires the Taking the said Oath and subscribing the said Declaration, is hereby repealed.

III. *Stat. 3.* All the now Members of Corporations, and every Person now in actual Possession of any Office, that were required by the said Act of 13 C. 2. to take the Sacrament of the Lord's Supper according to the Rites of the Church of England, within one Year next before his Election; are hereby confirmed in their several Offices, notwithstanding their Omission to take the said Sacrament, and shall be indemnify'd from all Incapacities, Disabilities, Forfeitures and Penalties arising from such Omissions, and none of their Acts, nor the Acts not yet avoided, of any which have been Members of Corporations, and in actual Possession, shall be questioned or avoided by Reason of such Omission; nor shall any Person hereafter to be chosen to any the said Offices, be removed by the Corporation, or otherwise prosecuted for such Omission; nor shall any Incapacity, &c. be incurred thereby, unless such Person be removed, or such Prosecution be commenced within six Months after his Election; and in Case of a Prosecution the same be carried on without wilful Delay.

Customs.

I. *Stat. 3 G. c. 7. Stat. 40.* All Drawbacks, Allowances and Abatements, granted by any Act now in Force, upon or out of any Duties upon Goods or Merchandizes imported or exported, shall be continued till the Duties on which such Drawbacks, &c. are granted, shall cease and determine.

II. *Stat. 5 G. c. 11. Stat. 1.* Enacted, That if any foreign Brandy, Arrack, Rum, Strong-Waters, or Spirits whatsoever, shall, after the 25th of March, 1719, be imported into Great Britain, in any Vessel under the Burthen of fifteen Tons, (except only one Gallon for each Seaman belonging to such Vessel) every such Vessel, with all her Tackle, &c. or the Value thereof, shall be forfeited, and may be seized by any Officer of the Customs, and proceeded against and recover'd in the Manner hereafter mentioned. And after Seizure and Condemnation the principal Officers of the Customs in the Place where the same shall be, are to cause such Vessel to be broke up, and the Materials to be sold, together with the Tackle, &c. and the Produce thereof to be divided as hereafter mentioned.

III. *Stat. 2.* If after the 29th of September, 1719, any Rum shall be imported into Great Britain in any Cask nor containing twenty Gallons, (except only for the Seamen's Use) such

Rum

Rum or the Value shall be forfeited: But if it shall appear to the principal Officers of the Customs at the Port of Importation, that such Rum was for the Use of the Master or Seamen, or imported by Merchants, without Fraud or Concealment, then the said Officers may admit such Rum to an Entry, and cause the Duties thereof to be accepted instead of the Forfeiture,

IV. *Seff. 3.* In Case any foreign Goods, Wares or Merchandizes, shall, after the 25th of *March*, 1719, by any Collier, Fisher-boat, or other coasting Vessel, be taken in at Sea, or out of any Vessel whatsoever, to be landed or put into any other Ship, &c. within the Limits of any Port, without Payment of the Customs and other Duties, such Goods, &c. shall be forfeited; and the Master of such Collier, &c. shall also forfeit treble the Value of such Goods, unless in Case of Necessity, of which such Master shall give Notice and make Proof of before the chief Officers of the Customs of the first Port where he shall arrive: And the Master, or other Person, taking Charge of the Ship out of which such Goods shall be taken in at Sea, shall also forfeit treble the Value of such Goods so unshipp'd; one Moiety to the King, the other to the Informer or Prosecutor, to be recovered as herein after mentioned.

V. *Seff. 4.* After the 25th of *March*, 1719, all Goods not reported, and found after clearing the Ships by the proper Officer of the Customs, shall be liable to Forfeiture, and may be seized and prosecuted in the Manner hereafter mentioned.

VI. *Seff. 5.* After the 1st of *May*, 1719, No Bond given for the Exportation of Coffee, Tea, or other Certificate-Goods, exported to *Ireland*, shall be delivered up, or any Drawback allowed, till a Certificate be produced from the Collector, Controller, and Surveyor of the Customs in *Ireland*, or any two of them, where the Goods shall be landed, testifying the Landing thereof: And for the Future the Condition of all such Bonds shall be, to produce such Certificate in six Months from the Date thereof; (Danger of the Seas and Enemies excepted) and if no such Certificate be produced in six Months, the Commissioners of the Customs in *England* or *Scotland* shall cause such Bonds to be put in Suit, unless they find sufficient Cause to forbear the same.

VII. *Seff. 6.* After the 25th of *March*, 1719, if any Goods prohibited to be worn here, and foreign Goods shipp'd out for Parts beyond the Seas, shall be unshipped, or put on Shore, (unless in Case of Distress, or in Presence of a Custom-Officer) such Goods shall be forfeited; and if the Master, &c. of any Ship wherein the said Goods shall be laden, suffer them to be landed or unshipped, he shall forfeit the Value thereof; and the

the Person to whose Hands the Goods shall come, knowing the same to be so unshipped, shall forfeit double the Value of the said Goods, unless he make Discovery thereof to the chief Officers of the Customs in six Days after the Goods shall come to his Hands: Provided the said Goods shall not have been seized by, or Information given thereof to, any Officer of the Customs before such Discovery.

VIII. *Stat. 7.* If the Package of any such Goods shall, with the Privy of the Master, &c. be opened on Board any Ship, or put into other Form, while the said Ship remains in Port, without Leave of the principal Officers of the Port, the Master, &c. shall forfeit 100 *l.* and if the Master, &c. shall suffer any such Goods to be unshipped or landed, or the Package to be opened, or put into other Form, without Leave as aforesaid, then such Master, &c. shall, also suffer six Months Imprisonment without Bail.

IX. *Stat. 8.* After the 25th of March, 1719, where any Vessel of fifty Tons, or under, laden with customable or prohibited Goods, shall be found hovering on the Coasts, within the Limits of any Port, and not proceeding on her Voyage for foreign Parts, (Wind and Weather permitting) any Officer of the Customs may go on board, and take an Account of the Lading, and demand Security of the Master, &c. by his own Bond, by him to be enter'd into to his Majesty, &c. in treble the Value of the foreign Goods on Board; with Condition, That such Vessel, (as soon as Wind and Weather, and the State of such Vessel doth permit) shall proceed regularly on her Voyage, and shall land such Goods in some foreign Port: And if such Master, &c. shall refuse to enter into such Bond, or having enter'd into such Bond, shall not proceed on such Voyage, (as soon as Wind, Weather, and the State of such Ship will permit) unless suffered to make a longer Stay by the Collector, or other chief Officer in his Absence, not exceeding twenty Days, then all the foreign Goods on board such Vessel, may by any Officer of the Customs, by Direction of the Collector or other principal Officer, be taken out of the said Ship, and brought on Shore and secured; and if such Goods are customable, the Customs and other Duties shall be paid; and Wool, or any prohibited Goods, found on board, at the Time of their Unlading, as aforesaid, are declared subject to Forfeiture; and the Custom-Officer may prosecute the same, as also the Ship, if she be liable to Condemnation, as in the Manner herein after mentioned.

X. *Stat. 9.* After such Goods are brought on Shore and secured, such Bonds so to be given shall be void and delivered up without Fee; and such Bonds not being otherwise discharged, shall, on a Certificate under the common Seal of the chief Magistrate in any Place beyond the Seas, or under the Hands

Hands and Seals of two known *British* Merchants on the Place, that such Goods were landed there, or on Proof by two credible Witnesses, that such Goods were taken by Enemies, or perished in the Seas, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs) be vacated and discharged.

XI. *Seß.* 10. After the 25th of *March*, 1719, no Coffee shall be exported but such as shall be contain'd in the original Bble, or in some Bale containing the same Quantity, or in some Bale containing not less than 400 Weight, and the same Marks and Numbers thereon with which it was enter'd; except only such Coffee as shall be transported to the Plantations or *Ireland*.

XII. *Seß.* 11. So much of this Act as relates to the Importation of foreign Brandy, &c. or to foreign Goods, &c. taken in at Sea out of any Vessel, to be landed or put into any other Ship, and to Goods not reported and found after clearing the Ships, and as provides farther Remedies against relanding Goods prohibited to be worn in this Kingdom, or foreign Goods shipped out for beyond the Seas; or to the opening or altering the Package of Goods on Ships outward bound; or to Ships hovering on the Coasts, of fifty Tons or under; or as concerns the Bales or Package in which Coffee shall be transported, shall be in Force for three Years, from the 25th of *March*, 1719, and from thence to the End of the next Session of Parliament: And so much of this Act as relates to Rum in Casks not containing twenty Gallons, shall be in Force for three Years, from the 29th of *September*, 1719, and from thence to the End of the next Session of Parliament: And so much of this Act as relates to Certificate Goods enter'd for *Ireland*, shall be in Force for three Years, from the 1st of *May*, 1719, and from thence to the End of the next Session of Parliament.

XIII. *Seß.* 12. No wrought Silks, Bengals, and Stuffs mixed with Silk and Herba, nor Muslins and other Callicoes, of the Manufacture of *Persia*, *China*, or *East-India*, shall, after the 1st of *May*, 1719, be imported into *Ireland*, from any Place whatsoever, other than *Great Britain*, on Forfeiture of the Goods, or Value thereof, as also of the Ship importing the same, with all her Guns, Tackle, &c. one Moiety to the King, the other to the Seizor, Informer or Prosecutor, in any the King's Courts of Record in *Dublin*. And if any Officer of the Customs in *Ireland* shall connive at the fraudulent Importation of such Goods, or take upon him to seize them, and by Fraud or Collusion delay the Prosecution thereof to Condemnation, he shall forfeit 500*l.* to be sued for and divided in Manner aforesaid, and be incapable of holding any Office under his Majesty, &c.

XIV. *Stat.* 13. All Goods, &c. which, after the 25th of March, 1719, shall be salv'd out of any Ship, forced on Shore, or stranded, (not being wreck'd Goods, or *Flosham, Jetsham or Lagan*) shall, after Salvage and other Charges paid, be liable to the like Customs, Drawbacks and Allowances, as such Goods, &c. would be liable to, in Case they were regularly imported.

XV. *Stat.* 14. After the 25th of March, 1719, the like Provision made for preventing the Exportation of Wool, by the Act 1 W. & M. c. 32. (*which see in Vol. 4. tit. Wool*) shall extend to Wool-fels, Mortlings, Shortlings, Yarn made of Wool, Wool-flocks, Fullers-earth, Fulling-clay, and Tobacco-pipe-clay, carried coastwise.

XVI. *Stat.* 15. After the 1st of May, 1719, if any Silks, Callicoes, Linens or Stuffs, printed, painted, &c. in Great Britain, shall be found on Land or Water, without a Mark denoting that the Duties have been paid or charged (except on board Ships for Exportation) the same shall be forfeited, and may be seized by any Officer of the Customs or Excise: And the Person in whose Custody they shall be found, shall forfeit 50 l. one Moiety to the King, the other to the Seizor, Informer or Prosecutor in any Court of Record at Westminster, or the Exchequer in Scotland; wherein no Protection or Wager of Law shall be allowed: Provided, That the Goods so recovered, shall not be delivered out of the Custom-house Warehouse, till marked with a proper Mark, to be provided by the Commissioners of the Customs for that Purpose; who are hereby directed to provide the same, and to cause such Goods to be stamped therewith.

XVII. *Stat.* 16. After the 29th of September, 1719, no Certificate shall be made out in Order to allow the Premium, mentioned in the Act 3 & 4 A. c. 10. (*which see in Vol. 3. tit. Ships*) for any Pitch or Tar imported from his Majesty's Plantations in America, till such Pitch be freed from Dirt or Dross, or for such Tar that is not fit to be used for making Cordage, and that shall not be freed from Dross and Water; and unless such Pitch and Tar be clean, good, merchantable and well conditioned.

XVIII. *Stat.* 17. It shall be lawful for the Officers of the Customs before they make any such Certificate, to examine the Pitch by opening the Heads of the Barrels, sawing the Staves in the Middle, and breaking the Barrels, or so many of them as they shall find sufficient to make a Proof, or by such other Means as they shall think proper to discover whether the Pitch be merchantable, &c. and to search the said Tar, to find out whether it be well-conditioned and fit for making Cordage.

XIX. *Stat.* 18. No Fee or Reward shall be demanded or taken by any Custom-Officers, for examining or delivering such Pitch

Pitch or Tar, or other naval Stores, with Respect to the Premium, or for making a Certificate in Order to the receiving such Premium, on Pain of Loss of Office, and Incapacity of serving his Majesty; and shall also forfeit 100*l.* to such Person as will sue for the same, by Action of Debt, &c. in any Court at *Westminster*, wherein no *Essoin*, &c. shall be allowed, nor more than one *Imparllance*.

XX. *Seß.* 19. The Act of 22 & 23 C. 2. c. 26. intituled, *An Act to prevent the Planting of Tobacco in England*, and regulating the Plantation Trade, (which see in Vol. 4. tit. Tobacco) shall have Continuance for such Time as the Act of Tonnage and Poundage, made in 12 C. 2. is continued.

XXI. *Seß.* 20. The South-Sea Company may reland in Presence of a proper Officer of the Customs, the foreign Goods entered and shipped out at the Custom house, on board their annual Ship, *The Royal George*, for the *Spanish West Indies*; which Goods are to be put into proper Ware-houses (to be provided at the Company's Charge) and there kept under the King's and Company's Locks; and the Company, or their Servants, shall have free Access thereto at reasonable Times, and the said Officers are directed to attend at such Times when required: And for security to the said Company the Benefit of the Drawback on the said Goods, notwithstanding their relanding them, the proper Officers of the Customs, on reshipping the said foreign Goods, are to make out Debentures for allowing the said Company the same Drawback which they would have been intitled to, in Case *The Royal George* had proceeded on her intended Voyage, and the Goods had not been relanded.

XXII. *Seß.* 21. After the 24th of June, 1719, all Wool, Wool-fells, &c. or any Drapery, Stuffs, or Woollen-Manufactures whatsoever, which shall be brought and laid on Shore near the Sea, or any navigable River whatsoever, with Intent to be exported out of Ireland, contrary to the Meaning of the Act 10 W. 3. c. 10. (which see in Vol. 4. tit. Wool) shall be forfeited, and the Offenders shall be liable to the like Forfeitures, &c. as Persons by that Act are subject unto; and such Forfeitures, &c. shall be recovered and distributed, as other the Forfeitures, &c. in that Act are to be.

XXIII. *Seß.* 22. The Act of 1 G. c. 46. to prevent the Abuses in making and mixing Snuff (which see in tit. Tobacco) shall extend against any Persons, who shall, after the 25th of March, 1719, make, mix, or colour Snuff with Okers, Umber, or any other Colouring, (except Water tinged with *Venetian Red* only) or who shall mix with any Sort of Snuff, Foxlick, yellow Ebony, Touchwood, or other Wood, Dirt, Sand, or Tobacco-Dust.

XXIV. *Seß.* 23. After the 25th of March, 1719, if any Person shall, at the Roasting of Coffee, or before or after, use any

any Water, Grease, Butter, or any other Material, to encrease the Weight, or damnify the Coffee, he shall forfeit 20*l*. And if any Dealer in Coffee shall knowingly buy or sell such Coffee, he shall also forfeit the like Sum for every such Offence, to be divided between the King and Prosecutor.

XXV. *Seff.* 24. If any Officer of the Revenue shall make any collusive Seizure of foreign Goods, to the Intent the same may escape Payment of the Duties, he shall not only forfeit 500*l*. but be incapable of serving his Majesty in the Revenue; and the Importer and Owner shall forfeit treble the Value of such Goods so collusively seized, one Moiety to the Crown, the other to him who will sue for the same, by Action of Debt, &c. in any the Courts at *Westminster*, or in the Court of Exchequer in *Scotland*; in which no *Essoin*, &c. shall be allowed, nor more than one *Imparlane*.

XXVI. *Seff.* 25. Provided, That if the Officer or Importer and Owner, shall discover such his Offence to the Commissioners of the Customs in *England* or *Scotland*, within two Months after committed, so as his Accomplices be convicted thereof, he shall be acquitted.

XXVII. *Seff.* 26. If any Person, other than the Officer collusively seizing, or the Importer and Owner of the Goods so seized, shall within three Months after such Seizure, discover to the said Commissioners, any Person guilty of such Fraud, so as he be convicted thereof, such Discoverer shall receive to his own Use one Half of his Majesty's Share of what shall be recovered on the Conviction of such Offender.

XXVIII. *Seff.* 27. In all Cases, touching which no special Distribution is provided by this Act; one Moiety of the Forfeitures herein mentioned shall be to the Crown, the other to the Prosecutor by Bill, &c. in any of the Courts at *Westminster*, or in the Exchequer in *Scotland* (except where this Act otherwise directs) wherein no *Essoin*, &c. shall be allow'd.

Deer-Stealers.

I. *Stat.* 5 G. c. 15 *Seff.* 1. No *Certiorari* shall be allow'd to remove any Conviction made, or other Proceedings concerning any Matter in the Act 3 & 4 W. & M. intituled, *An Act for the more effectual Discovery and Punishment of Deer-stealers*, unless the Party convicted shall, before Allowance of such *Certiorari*, and at the same Time that Security is given for Payment of Costs and Damages to the Prosecutor, become bound to the Justice before whom such Conviction was made, with sufficient Sureties to be approved of by the Justice, in the Penalty

nalty of 60 l. for each Offence, with Condition to prosecute such *Certiorari* with Effect, and to pay such Justice the Forfeiture due by such Conviction, to be distributed as the Statute directs, or to render the Person convicted to such Justice in one Month after the Conviction shall be confirmed, or a *Procedendo* granted; And in Default the Justice and all other Persons may proceed to the due Execution of such Conviction, as if no *Certiorari* had been awarded.

II. *Seß.* 2. After Confirmation of any Conviction on the said Statute by any superior Court, and delivering the Rule to the said Justice, whereby such Conviction hath been so confirmed, such Justice may proceed against the Party convicted, as if a *Procedendo* had been granted.

III. *Seß.* 3. Provided, That if any Person be sued for any Thing done in Pursuance of this Act, or of the said Act of 3 & 4 W. & M. he may plead the general Issue, and give the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be nonsuit, &c. the Defendant shall have treble Costs, and a like Remedy for the same as any Defendant hath in any other Case by Law.

IV. *Seß.* 4. Every Person convicted by Vertue of the said Statute, shall, before he be discharged out of Custody, become bound to the Person against whom the Offence was committed, in the Sum of 50 l. with Condition for his Good Behaviour, and not to offend in like Manner; and on Refusal to enter into such Bond, he shall be committed to the County-Gaol till such Bond be given: And if such Person, after his becoming bound, be convicted for any Matter in the said Statute, the Bond shall be forfeited, and the Penalty recovered, with full Costs in any Court at *Westminster*, which Penalties shall be distributed in the same Manner as the Forfeitures are to be by the said Statute; and the Party convicted shall be likewise liable to the Penalties therein.

V. *Seß.* 5. If the Keeper or other Officer of any Forest, &c. where Deer are usually kept, shall be convicted on the said Statute of 3 & 4 W. & M. for killing or taking away any Red or Fallow Deer, or being aiding therein, without Consent of the Owner or Person chiefly intrusted with the Custody of such Forest, &c. he shall forfeit 50 l. for each Deer so killed, &c. to be levied by Distress, and distributed as the Forfeitures in the said Act are to be; and for Want of Distress, he shall be imprisoned for three Years without Bail or Mainprize; and be set in the Pillory two Hours on some Market-Day in the Town next the Place where the Offence was committed, by the chief or under Officers of such Town.

VI. *Seß.* 6. If any Person shall pull down or destroy, or cause to be pulled down or destroy'd, the Pales or Walls of any Park, &c. where Red or Fallow-Deer shall be then kept, with-

without the Consent of the Owner or Person chiefly intrusted with the Custody thereof; and being convicted by Confession or Oath of one or more Witnesses, before one or more Justices of the County where the Offence is committed, he shall be subject to the Forfeitures and Penalties by the said Act inflicted for killing any one Deer, in the same Manner as if he had been thereof convicted according to the said Statute.

VII. Stat. 5 G. c. 28. Sect. 1. If after the 1st of May, 1719, any Person shall enter any Park, Paddock, or other inclosed Ground, where Deer are usually kept, and wilfully wound or kill any Red or Fallow Deer there, without the Consent of the Owner or Person intrusted with the Custody of such Park, &c. or shall be aiding therein; and being indicted for such Offence before any Judge of Gaol-Delivery for the County wherein such Park, &c. shall be, and be convicted thereof by Verdict, or his own Confession, he shall be sent to some of his Majesty's Plantations in *America*, for seven Years: And the Court before whom he shall be convicted, or any subsequent Court, held at the same Place with like Authority, shall have Power to convey, transfer, and make over such Offender, by Order of Court, to the Use of any Person who shall contract for the Performance of such Transportation.

VIII. Sect. 2. Provided, That nothing herein shall repeal, alter, or make void any former Law made for the Punishment of Deer-stealers; and that when any Offender shall be punished by Force of this Act, he shall not be prosecuted, nor incur any Penalty, by Force of any other Law whatsoever.

Drapery.

I. Stat. 1 G. c. 15. Sect. 1. After the 20th of September, 1715, all mix'd or medley Broad-cloth shall, at the Instance of the Buyer, for Proof thereof, be put into Water, and then measured by two indifferent Persons, to be chosen, one by the Buyer and another by the Seller; and if they disagree in ascertaining the Length and Breadth, then the Admeasurement shall be made by a third Person, chosen by the two Persons appointed as before; and if the said two Persons shall not in two Hours choose such third Person, or if being chosen he will not take on him the Admeasurement; then, if in *London*, it shall be finally made and determined by the Keeper of *Blackwell-Hall*, who shall be sworn before some Justice of the Peace, truly to perform such Measuring, and be obliged to act for that Purpose; and such Admeasurement shall be conclusive to all Parties, and be the Rule of Payment to the Buyer; and if elsewhere than in *London*, the said Cloth shall be measured by

any two indifferent Persons, as aforesaid; and if they disagree, or refuse to make the Admeasurement, or to appoint a third Person as aforesaid; then a fit Person shall be appointed by the chief Magistrate of such City, &c. where the said Cloth shall be sold, who shall swear such Person who is hereby obliged to be sworn; and he determining the Measure of such Cloth, shall receive six Pence, and no more, for each Piece so by him measured, to be paid by the Buyer. And if on such Admeasurement there be found a less Quantity in Length or Breadth, than is mentioned in the Seal directed by the Act 10 A. c. 16. to be fixed to such Cloth by the Master, &c. of the Fulling-Mill, then the Owner or Seller of such Cloth, shall forfeit the sixth Part of the Value thereof, to the Uses herein provided for; and the said Forfeiture shall be paid by the Buyer, and by him deducted out of the Price of the Cloth, on Certificate thereof by any of the said Persons measuring the same, and making Oath thereof before a Justice of Peace, who is to give the said Person a Certificate without Fee or Reward: And all such Sums of Money as the Owner or Seller of such Cloth shall pay on Account of such fraudulent Seal of the Master, &c. of the Fulling-Mill, shall on Demand be repaid by the said Master, &c. who affixed the said Seal, to the Owner or Seller of such Cloth.

II. *Sett.* 2. If any Master, &c. of a Fulling-Mill shall, after the 29th of September, 1715, refuse or neglect to take the Oath directed by the said Act of 10 A. c. 16. for his true Performance of Admeasurement, or to fix a Seal at the Head-End of every Broad-Cloth, before it be carried from the Mill, mentioning his Name, and the Length and Breadth of every such Cloth, in Figures, and to enter the same in a Book; or if any Person shall afterwards take off, deface, counterfeit or alter such Seal, or add any other before the Cloth is sold, he shall forfeit 20 l. in Discharge of the 20 s. that may be incurred by Vertue of the said former Act.

III. *Sett.* 3. After the 29th of September, 1715, the Hall-keeper of *Blackwell-Hall* shall, at the Charge of *Christ's Hospital*, have in the said Hall, a Table thirty Yards long, to each of which Yards shall be added one Inch, instead of that called a Thumb's Breadth, so that each Yard shall consist of thirty-seven Inches, and shall be distinguished by a Nail, or other proper Mark along the said Table, and three Foot wide at least, whereon the said Cloth shall be doubled and laid at full Length, to prevent any Dispute in Respect of such Admeasurement by the Yard; where the said Admeasurement of any Broad-Cloth, if in *London*, shall be made, and shall be there put in Water before such Admeasurement.

IV. *Seff.* 4. The Buyer of Medley Broad-Cloths, his Agent or Servant, shall within six Days after Delivery thereof, give two Days Notice to the Seller, or his Factor, of the Time when such Cloth is, for Proof, to be wetted; unless it be by Consent of the Buyer and Seller, or their Agents, signify'd in Writing, in which Case less Notice shall be sufficient: And if the Seller, or his Factor or Agent, doth not appoint an indifferent Person, nor attend the said Admeasurement, which shall be made within eight Days after Delivery, then the Buyer, or his Agent, may prove the said Cloth by Water at *Blackwell-Hall*, and the Hall-keeper shall measure the same on the Table, as aforesaid, and ascertain the true Measure, and make a Certificate thereof; which Certificate shall, within ten Days after such Admeasurement, be filed with the Clerk of the Peace of the County, &c. who is to file the same among the Records of the County, &c. and for so doing he shall have only 1 s. and such Certificate shall be the Rule of Payment to the Buyer, and shall be deemed a sufficient Conviction of the Parties offending, so as to make them forfeit as aforesaid: And the Clerk of the Peace, or his Deputy is obliged to give an attested Copy of such Certificate to any Person demanding the same, for which he shall have but 1 s. which attested Copy is hereby declared to be a sufficient Authority to the Clothier, &c. to demand of the Master, &c. of the Fulling-Mill, the Forfeitures deducted out of the Price of any the Cloths aforesaid, for Want of Length or Breadth contained in the Seals, as aforesaid; and on Refusal of Payment, the said Master, &c. shall be subject to the Penalties and Forfeitures, hereafter provided for by this Act.

V. *Seff.* 5. All Medley Broad-Cloths, which shall be exposed to Sale in *England*, (other than Cloth made before the Commencement of this Act) shall be stamped with the Watch-Measure thereof on the Seal of the Master, &c. of the Fulling-Mill, by whom the said Cloth was wetted, fulled and milled; and every Clothier selling or putting to sale such Cloth before sealed and stamped, as aforesaid, on which Seal shall be specify'd the Name of the said Master, &c. of the Fulling-Mill, the Length and Breadth of the Cloth, with the distinguishing Mark of a Crown on the Rivet of the said Seal, shall forfeit the sixth Part of the said Cloth, to be levied and disposed of as is afterwards herein provided for.

VI. *Seff.* 6. All Medley Broad-Cloth, made before the Commencement of this Act, may be wetted and tried by Water at the Request of the Buyer; and if the same, on Proof by two indifferent Persons to be chosen, or by the Keeper of *Blackwell-Hall*, as aforesaid, shall be found to contain a less Content in Length and Breadth than is specify'd in the Seal of the Master, &c. of the Fulling-Mill, then the said Buyer shall be

obliged to accept of the said Cloth, and pay no more than for the true Contents thereof; and the Clothier, &c. shall not be subject to any Penalty for such short Measure.

VII. *Seff. 7.* All Offences against this Act shall be determined by one or more Justices of the County, &c. (such Justices not being concerned in the Matter of Complaint) where the same shall be discovered, or the Offender inhabits, upon the Oath of one or more Witnesses. And all the Forfeitures by Vertue of this Act, shall be paid, (after Charges of Conviction deducted) if in *London*, to the Use of *Christ's Hospital*; if in any other Place, to the Poor of the Parish, &c. where the Offence shall be discovered: And if any Offender shall refuse to pay the Forfeitures, (being lawfully demanded) in thirty Days after Conviction; or if the Owner, &c. of the Fulling-Mill refuse to repay the Forfeiture for Want of Length or Breadth of Admeasurement as aforesaid, then it shall be lawful for the Justice, before whom such Conviction was made, or where such Owner, &c. inhabits, to issue his Warrant to the Constable where such Offender dwells, or can be found, to levy the same by Distress and Sale of the Offender's Goods, and where no Distress can be found, to commit the Offender to the common Gaol or House of Correction, there to be kept to hard Labour for three Kalendar Months.

VIII. *Seff. 8.* All Offences committed against this Act, saving in the Case of the Mill-man, on Refusal of Repayment of the Forfeitures for Want of Length and Breadth in Admeasurement, shall be prosecuted in forty Days after the Offence committed or discovered.

IX. *Seff. 9.* If any Action shall be commenced against any Person, authorized to put this Act in Execution, he may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff be nonsuit, discontinue, &c. the Defendant shall have treble Costs. And this Act shall be allowed a publick Act in all Courts within this Kingdom; and all Judges and Justices of the Peace are required to take Notice thereof as such, without pleading the same.

X. *Seff. 10.* If any Person finds himself aggrieved by any Warrant or Order made by any Justice on any such Conviction before him, he may appeal to the Quarter-Sessions of the County, where such Conviction shall be made, giving sufficient Notice of such Appeal; and the Determination of such Quarter-Sessions shall be final; and the Justices there shall allow such Costs and Charges to the Party grieved as they shall think reasonable, to be levied as is usual in Cases of Appeals from such Orders.

XI. *Seff. 11.* Nothing herein contained shall extend to affect any Factor or his Agent, who shall be only employed in the Sale of Medley Broad-Cloth.

XII. *Señ. 12.* After the 29th of September, 1715, every Clothier, &c. shall make Payment in ready Money to all Persons employ'd in the Woollen Manufacture, for Work done in Relation thereto; and shall not impose on them any Sort of Goods or Wares for such Work: And in Case any Person in Lieu of Money, impose on any Workman such Goods, &c. he shall forfeit 40s. to be recovered and distributed as by this Act is directed.

XIII. *Señ. 13.* Whereas by the Act, 8 & 9 *W. 3. c. 2.* (which see in Vol. 1. tit. Blackwell-Hall) it is enacted, That if the Owner of the Cloth shall neglect to sue for the Penalties he shall be intitled to by the said Act, for the Space of six Months after the Offence committed, then it shall be lawful for any other Person to sue for and recover the same, and one Moiety thereof shall be to the King, the other to the Informer; which general Liberty of suing, hath by Experience been found very prejudicial; therefore enacted, That no other than the Clothier, or the Owner of the Cloth unsatisfy'd, shall be capable of suing the Factor, on Account of not demanding Notes pursuant to the said Act: And that no Prosecution shall be commenced for any Forfeitures mentioned in the said Act, unless within twelve Months after the Offence committed.

XIV. *Señ. 14.* Provided, That any Thing herein contain'd shall not extend to any Cloth made in the County of York, or to repeal or invalidate any of the Authorities mentioned in the Act of 7 *A. c. 13.* intituled, *An Act for the better ascertaining the Lengths and Breadths of Woollen Cloths made in the County of York.* (Which see in Vol. 4. tit. York-County.)

XV. *Señ. 15.* After the 29th of September, 1715, all Yorkshire Cloths, whole thick Kerseys, whole thick Plains, Huggs-bags, and broken quilled Kerseys, shall not be made under eighteen Yards in Length, and not less than three Quarters and a Half in Breadth, by the Standard Yard wand, when fully wet; and shall be contented and sealed as Yorkshire Cloths are directed to be by the same Act, under the Penalties therein mentioned: And if any Person shall, after the said 29th of September, expose to Sale any Yorkshire Cloths, which shall be made after that Day, and not according to the same Length and Breadth, and be thereof convicted in the same Manner as Offenders by the same Act are to be, he shall, for every Inch the said Cloths shall be less than the said Breadth, and for every half Yard they shall be less in Length than eighteen Yards, as aforesaid, forfeit 20s. and if any Person shall after the said 29th of September, stretch any of the said Cloths more than one Inch in every Quarter of a Yard in the Breadth, or more than half a Yard in every eighteen Yards in Length; or shall offer to Sale any of the said Cloths, or any other Yorkshire Cloths, mention'd in the same Act, that are not contented and sealed

In the same Manner as they are thereby directed to be, every such Offender being thereof convicted as aforesaid, shall forfeit 20 s. for every such Offence: And if any Maker of *Yorkshire* Cloth, or other Person concerned in that Manufacture, shall after the said Day fix or cause to be fixed any other Mark on his Cloth, than his own Christian and Surname, and Place of Residence, or the first Letters of the same, he shall, upon Conviction thereof, as aforesaid, forfeit 40 s. All which Forfeitures shall be levied in such Manner, and to such Uses, as Forfeitures incurred by the same Act are to be; and for Want of Distress, the Offender shall be liable to such Imprisonment and hard Labour, as Offenders by the same Act are made liable to.

XVI. *Seß. 16.* Provided, That the Penalties incur'd by the same Act, or this, relating to *Yorkshire* Cloths, be inflicted within twenty-one Days after the Offence committed or discovered; and that if any Person find himself aggrieved by any Order or Warrant of any Justice, he may appeal to the Quarter Sessions of the County, &c. where the Conviction shall be made, whose Determination shall be final; and the Justices there shall allow such Costs and Charges to the Party on whose Behalf the Appeal shall be determined, as they shall think reasonable.

XVII. *Stat. 1 G. c. 41. Seß. 1.* It shall be lawful for ever hereafter, for any Person, who hath served, or shall serve, an Apprenticeship in *Colechester* for seven Years without Intermision, to any Branch of the Woollen Manufacture, (i. e.) either to a Bay-Weaver, Wool-Comber, Wool-Beater, or a Bay-Rower, or the Sons of such who have, and shall continue to live and exercise the Trade of Bay-making in *Colechester* aforesaid, to use and exercise the said Trade, any By-Law to the contrary notwithstanding.

XVIII. *Seß. 2.* Saving to the Governors of the *Dutch Bay-Hall* in *Colechester*, their Right of Halling and Sealing of Bays, and all other Rights, (except only that of restraining the Persons hereby empower'd to exercise the said Trade of Bay-making) in like Manner as they enjoy'd the same before this Act.

XIX. *Seß. 3.* It shall be lawful for any Person, residing in *Colechester*, who hath used the Trades of Bay-making, Bay-weaving, Wool-combing, Wool-beating, and Bay-Rowing, or either of them, in the said Town, for seven Years before the Making of this Act, to use the said Trade of Bay-making in the said Town, to the *Dutch Bay-Hall*, notwithstanding he hath not served his Apprenticeship in *Colechester*.

XX.

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ing by Fines payable in the Alienation-Office, the Post-Fines, the Revenue of the Wine-Licences, Sheriffs Profers and Compositions in the Exchequer, Seizures of unaccustomed and prohibited Goods, the Revenue arising by Rents of Lands and Fines for Leases thereof, and all other Revenues which were settled for the Support of her late Majesty's Household, during her Life as aforesaid, (except the Duty of Four and a Half *per Cent.* in Specie in *Barbadoes*, and the *Leeward Islands*; except the Revenue of the Dutchy of *Cornwall*, and of the First-fruits and Tenths of the Clergy; except also such Revenues, &c. as have been granted to any Persons or Bodies Corporate, in Pursuance of any Statute in that Behalf; and except all Charges on the said Revenues made by Act of Parliament) shall be for the Support of his Majesty's Household: Nevertheless the said hereditary and other Excise, granted as aforesaid, and the said Revenues of the Post-Office, shall be liable to the respective Incumbrances and Charges hereafter in this Act specify'd.

IV. *Señ. 4.* The weekly Sum of 3700 *l.* which by the Act of 2 *A. c. 3.* was charged on the hereditary Excise, and the Duties of Excise granted for her late Majesty's Life as aforesaid, shall be charged on the said hereditary Excise, and the said Duties of Excise hereby granted to King *George* for his Life, and after his Decease shall be payable out of all the Monies to arise from the said hereditary Excise for ever; for Payment of the Annuities, and other Purposes expressed in the Act of 12 *W. 3. c. 12.* and the said Act of 2 *A. c. 3.* or any other Acts concerning the same; and shall be apply'd accordingly, under the same Penalties, &c. as in the same Acts are prescribed, for diverting or misapplying the Monies of the weekly Payments therein mentioned.

V. *Señ. 5.* Nothing herein shall obstruct the Payment of the weekly Sum of 700 *l.* which by the Act of 9 *A. c. 10.* for establishing a General Post-Office, &c. was to be paid into the Exchequer out of the Revenues arising by that Act; nor to make void the Provision therein contained for reserving one third Part of the Surplus Money arising of the yearly Produce of the said Post-Office, above the Sum of 111,461 *l.* 17 *s.* 10 *d.* therein mentioned, and the said Sum of 700 *l.* *per Week*, to be disposed by Parliament, for the Use of the Publick.

VI. *Señ. 6.* The yearly Sum of 35,000 *l.* which the late Queen *Anna*, by Letters Patent, dated the 13th of *October* in the 12th Year of her Reign, grounded upon an Act of Parliament made in the same Year, appointed to be paid for thirty-two Years from *Michaelmas*, 1713, as well out of the hereditary Excise, as out of the Duties of Excise, which were granted during her Life, shall be charged thereon during the Residue of the

the said thirty-two Years, if his Majesty so long live; and in Case of his Demise, then the said yearly Sum of 35,000*l.* shall be charged on the said hereditary Excise for the then Remainder of the said Term of thirty-two Years, and shall be applied to the Uses in the said Letters Patent expressed, under the Penalties in the said Act, whereon the said Letters Patent are grounded, prescribed.

VII. *Seff.* 7. Saving to all Persons, other than to his Majesty, all Rights, &c. to or out of the Revenues, &c. aforesaid, as they ought to have had at the Making of this Act, as fully as if it had never been made.

VIII. *Stat.* 1 *G. Stat.* 2. *Pars inde.* *Seff.* 1. Enacted, That the several Duties, &c. on Malt, Mum, Cyder and Perry, which by the Act of 12 *A. Seff.* 1. c. 2. were granted to her Majesty till the 24th of June, 1714; and which by the Act 12 *A. Seff.* 2. c. 3. were continued till the 24th of June, 1715, shall be farther continued till the 24th of June, 1716. And shall be raised and paid to his Majesty by such Ways, Rules, &c. with such Allowances and Repayments, and under such Penalties, &c. as are prescribed in the said Acts, or in any other Acts thereby referred unto concerning the said Duties; and every Article, &c. therein contained shall be in Force, as if repeated in this Act.

IX. *Seff.* 2. Where the first mention'd Act of 12 *A.* did relate to any Day or Time within the Year which commenced from the 23d of June, 1713, this Act shall relate to the like Day and Time commencing from the 23d of June, 1715.

X. *Seff.* 3. There shall be kept in the Office of the Auditor of the Receipt of the Exchequer, a Book or Register, in which all the Orders for Money payable upon this Act shall be enter'd; and all the Principal Sums lent upon the Act which granted the Duties on Malt, &c. from the 23d of June, 1713, to the 24th of June, 1714; and which, on the 3d of June, 1715, shall remain unsatisfy'd, with the Interest thereof at 5*l.* per Cent. per Annum, and the Orders of Loan for the same, shall be transferred to the Register appointed to be kept by this Act, and shall be register'd in due Course according to the Days of the respective Tallies of Loan; which Transferences shall be made without making Issues, or taking Receipts of the Parties in order to transfer the said Loans; and the Principal Monies on the Orders so transferred shall be paid to the Lenders, their Executors, &c. out of the Monies arising by this Act, in the same Order in which they are transferred; and the Interest shall be payable every three Months till the Principal be satisfy'd.

XI. *Stat. 4.* It shall be lawful for any Persons, Natives or Foreigners, &c. to lend his Majesty on the Credit of this Act, any Sums of Money, as together with the principal Monies hereby appointed to be transferred, shall not exceed 700,000 *l.* which Lenders shall have Interest at 4 *l. per Cent. per Annum*, to be paid every three Months from the making such Loans; and no Monies so lent shall be assessed in any Tax whatsoever: And every such Lender shall have a Talley struck for the Money so lent, and an Order for Repayment, with such Interest as aforesaid; and all such Orders, after the Orders before by this Act directed, shall be register'd in Course, according to their Dates; and all Persons shall be paid in Course as their Orders shall stand register'd, and the Monies coming in by this Act shall be liable to satisfy the Lenders without undue Preference, and shall not be diverted to any other Use: And no Fee, &c. shall be demanded or taken, for providing or making such Books or Entries, Views or Search, by any Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party aggrieved, with full Costs of Suit; and if the Officer take or demand any such Fee, &c. he shall lose his Place also: And if any undue Preference be made in Point of Registry or Payment by any such Officer, he shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with treble Costs to the Party aggrieved, and shall be forejudged of his Office: And if such Preference be made by any Clerk or Deputy, without Privy of his Master, such Clerk, &c. shall be liable to such Action, Debt, Damages and Costs, and shall be for ever incapable of his Office: And if the Auditor shall not direct, or the Clerk of the Pells record, or the Teller make Payment, according to each Person's due Order, they shall be adjudged to forfeit, and the Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in Manner aforesaid: All which said Penalties, &c. may be recover'd by Action of Debt, &c. in any Court at *Westminster*, wherein no Essoin, &c. shall be granted or allowed.

XII. *Stat. 5.* If several Tallies of Loan, or Orders for Payment, be brought the same Day to the Auditor to be register'd, it shall be interpreted no undue Preference, which of those be enter'd first, so he enters them all the same Day.

XIII. *Stat. 6.* It shall be no undue Preference to incur any Penalty, if the Auditor direct, the Clerk of the Pells record, and the Tellers pay subsequent Orders of Persons that demand their Money in Course; so as Money enough be reserved to satisfy precedent Orders; which shall be kept for them, the Interest being to cease from the Time the Money is so kept for them.

XIV.

XIV. *Stat. 7*. Every Person to whom Money shall be due for Loans by Virtue of this Act, after Order enter'd in the Registry as aforesaid, may assign his Right, Title, &c. to any other; which being notify'd in the Auditor's Office, and enter'd in the Register, (which the Officers shall, on Request, do without Fee) shall entitle such Assignee, his Executors, &c. to the Benefit thereof; and such Assignee may assign again, and so *toties quoties*; and it shall not be in the Power of the Person who hath assigned to make void such Assignment.

XV. *Stat. 8*. Every Malster, &c. shall pay and clear off the Duties on Malt within four Months after Entry.

XVI. *Stat. 13*. If any Malster or Maker of, or Dealer in Malt for Sale or Exportation, shall, after the 24th of June, 1715, fraudulently mix unmalted Corn with Malt made of any Grain whatsoever, and expose to Sale, or ship off, or attempt to ship off, in order for Transportation, any such Mixture, he shall forfeit for every Bushel, 5 s.

XVII. *Stat. 14*. If any Malster, &c. shall, after the 24th of June, 1715, hinder any Officer of Excise, in the Execution of the Powers given him by this, or the above-mentioned Acts, he shall forfeit 10 l.

XVIII. *Stat. 15*. All Fines, Penalties and Forfeitures by this Act imposed, shall be sued for and recovered, or mitigated, by such Ways, &c. as any Fine, &c. may be recovered, &c. by any Laws of Excise; or by Action of Debt, &c. in any Court at Westminster, or in the Court of Session, or of Justiciary, or of Exchequer in Scotland; and one Moiety of every such Fine, &c. shall be to the Crown, the other to him that shall discover or sue for the same.

XIX. *Stat. 16*. If any Person be sued for any Thing done in Pursuance of this or any former Act for granting Duties upon Malt, &c. he may plead the general Issue, and give the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be nonsuit, the Defendant shall have full Costs.

XX. *Stat. 1 G. c. 36*. By the 1st, 2d, 5th, 6th, 7th, 8th and 9th Sections of this Statute, the foregoing Act is continued from the 23d of June, 1716, to the 24th of June, 1717, but the Clause of Loan allows Interest after the Rate of 6 l. per Cent. per Annum.

XXI. *Stat. 3 G. c. 4*. By the 1st, 2d, 7th, 8th, 9th, 10th and 11th Sections of this Statute, the former Acts are farther continued from the 23d of June, 1717, to the 24th of June, 1718, with Interest for Loans after the Rate of 5 l. per Cent. per Annum; and such Loans must be allow'd to be made by the

the Treasury, who are to issue Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service.

XXII. *Seß. 16.* After the 5th of *June*, 1717, all Low Wines or Spirits, which shall be brought by Sea coastwise from one Port or Place to another in this Kingdom, without a Certificate from the proper Officer of Excise of the respective Places where the same were brewed or distilled, (which Certificate shall be given on Demand without Fee) that the Duties thereof have been paid, shall be forfeited, and may be seized by any Custom or Excise-Officer of the Port or Place where the same shall be so brought; the Forfeiture to be sued for, recovered, determined, and mitigated, by the same Ways, &c. as any Forfeitures may be sued for, &c. by any Laws of Excise: One Moiety to the Crown, the other to the Informer.

XXIII. *Stat. 4 G. 2. 3.* The first Part of this Statute continues the foregoing Act from the 23d of *June*, 1718, to the 24th of *June*, 1719.

XXIV. *Seß. 7.* All the Principal Sums lent on the Malt-Act, 1716, which shall remain unsatisfy'd, with the Interest thereof, shall be paid out of the first Monies to be lent on this Act; and as soon as Money sufficient to satisfy the same shall be advanced, publick Notice thereof shall be given in the *London Gazette*, and by a Paper to be affixed at the Exchequer; and the Interest of such Loans is to cease, after sufficient Money shall be advanced and kept in Bank to satisfy the same, and notified as aforesaid.

XXV. *Seß. 8.* Any Persons who shall actually have paid the Duties imposed by this Act for any Cyder or Perry made in *Great Britain*, and any others who shall buy or be lawfully intitled to any such Cyder or Perry, may export the same for foreign Parts, by Way of Merchandize, giving Security before shipping thereof, that the particular Quantity of Cyder, &c. is intended to be exported, and shall not be relanded in any Part of *Great Britain*; which Security the Customer or Collector is hereby directed to take (without Fee or Reward) in his Majesty's Name, and to his Use.

XXVI. *Seß. 9.* If after the Shipping of any such Cyder, &c. and giving such Security as aforesaid, in Order to obtain the Drawback herein after mentioned, the Cyder, &c. or any Part thereof, shall be relanded in *Great Britain*, then, over and above the Penalty of the Bond, which shall be levy'd to his Majesty's Use, the Cyder, &c. so relanded, shall be forfeited.

XXVII. *Seß. 10.* If any Person, who shall export any Cyder or Perry by Way of Merchandize, shall produce a Certificate from the Officer who received the Duties, that the said Duties have been paid (which Certificate the Officer is required to give gratis) and making Oath before the Collector of the Port

where

where the same shall be so exported, that the Cyder or Perry is the same as is mentioned in such Certificate; then the Collector shall give the Exporter a Debenture, expressing the true Quantity of the Cyder or Perry so shipped for Exportation; which Debenture being produced to the Officer appointed to receive the said Duty in the Place where the said Cyder or Perry was exported, he shall pay the Duty of 4 s. per Hogshead to the Exporter: And in Case such Officer shall not have Money in his Hands arising by the said Duties, to pay the same, then the Commissioners appointed for executing this Act shall pay the same out of the Monies arising by this Act.

XXVIII. *Stat. 11.* Every Dealer in Cyder and Perry, receiving Cyder or Perry into his Custody, shall be chargeable with the Duties thereon; unless he make it appear, either that such Cyder and Perry was made of Fruit of his own Growth, and not of bought Fruit; or that the Duties have been charged and duly paid: And if any such Dealer, &c. on Demand made by any Officer of Excise, in the Day-time, shall refuse to permit him to enter his Store-houses, Cellars, &c. and by Gauging, or otherwise to take Account of all Cyder, &c. there found, he shall forfeit 20 l.

XXIX. *Stat. 12.* The like Clause for Recovery and Distribution of all the Fines, &c. imposed by this Act, as in the Act 1 G. Stat. 2. c. 2. which see above, Par. XV.

XXX. *Stat. 5 G. c. 2.* The preceding Acts of 12 A. and 1, 2, & 4 G. so far as they relate to the Impositions on Malt, &c. are continued in the first seven Sections of this Statute, from the 23d of June, 1719, to the 24th of June, 1720.

Felons.

I. *Stat. 4 G. c. 11. Stat. 1.* Enacted, That where any Persons have before the 20th of January, 1717, been convicted of any Offence within the Benefit of Clergy, and are liable to be whipp'd, or burnt in the Hand, or have been ordered to any Work-house, and who shall be therein on the said 20th of January; as also where any Persons shall be hereafter convicted of Grand or Petit Larceny, or any felonious stealing of Money, or Goods and Chattels, either from the Person or the House of any other, or in any other Manner, and who by Law shall be entitled to the Benefit of Clergy, and liable only to the Penalties of burning in the Hand or Whipping, (except Persons convicted for receiving or buying stolen Goods, knowing them to be stolen) it shall be lawful for the Court

Court before whom they were convicted, or any Court held at the same Place with like Authority, instead of ordering such Offenders to be burnt in the Hand or whipp'd, to order, that they, as also such Offenders in any Work-house, as aforesaid, shall be sent to some of his Majesty's Plantations in *America* for seven Years; and that Court before whom they were convicted, or any subsequent Court held at the same Place with like Authority as the former, shall have Power to transfer and make over such Offenders, by Order of Court, to the Use of any Persons and their Assigns, who shall contract for their Performance of such Transportation for seven Years. And where any Persons have been convicted, or do now stand attainted of any Offences for which Death by Law ought to be inflicted; or where any Offenders shall hereafter be convicted of any Crimes, for which they are by Law to be excluded the Benefit of Clergy, and his Majesty shall extend Royal Mercy to such Offenders, on Condition of Transportation to any Part of *America*, and such Intention of Mercy be signify'd by one of the Principal Secretaries of State, it shall be lawful for any Court, having proper Authority, to allow such Offenders the Benefit of a Pardon under the Great Seal, and to order the like Transportation to any Person, (who will contract for the Performance) and to his Assigns, of any such Offenders, as also of any Person convicted of receiving or buying stolen Goods, knowing them to be stolen, for the Term of fourteen Years, if such Condition of Transportation be general, or else for such other Term as shall be made Part of such Condition, if any particular Time be specified by his Majesty: And the Persons contracting, or their Assigns, shall, by Vertue of such Order of Transfer, have a Property in the Service of such Offenders for such Terms of Years.

II. *Sec* 2. If any such Offender, so ordered to be transported for any Term of seven or fourteen Years, or other Time, shall return into *Great Britain* or *Ireland*, before the End of his Term, he shall be liable to be punished as any Person attainted of Felony without Benefit of Clergy, and Execution shall be awarded accordingly. Provided nevertheless, That his Majesty may at any Time pardon and dispense with such Transportation, and allow of the Return of any such Offender, he paying his Owner such Sum of Money as shall be adjudged reasonable by any two Justices residing within the Province where such Owner dwells: And where any such Offender shall be transported, and shall have served his Term, such Service shall have the Effect of a Pardon for that Crime for which he was so transported.

III. *Sec* 3. Every Person to whom any such Court shall order any Offenders to be transferred, before any of them shall be delivered over to him or his Assigns, to be transported,

shall contract with such Person as shall be appointed by such Court; and give Security, That he will transport, or cause to be transported, such Offenders to some of his Majesty's Colonies in *America*, as shall be ordered by the said Court, and procure a Certificate from the Governor or chief Custom-house Officer of the Place (which Certificate they are hereby required to give forthwith, without Fee) of the Landing of such Offenders (Death, and the Casualties of the Sea excepted) and that they shall not be suffered to return from the said Place to *Great Britain* or *Ireland*, by the willfull Default of the Person so contracting, or of his Assigns.

IV. *Señ. 4.* Where-ever any Person taketh Money or Reward, directly or indirectly, under Pretence of helping any Person to stolen Goods, he shall, (unless he apprehends the Felon, and causes him to be brought to Trial, and gives Evidence against him) be guilty of Felony, and suffer the Penalties, according to the Nature of the Felony committed in stealing such Goods, and in the same Manner as if he had stolen them himself.

V. *Señ. 5.* Where any Person of the Age of fifteen Years, and under twenty-one, shall be willing to be transported, and enter into any Service in any of his Majesty's Plantations in *America*, it shall be lawful for any Merchant, or other, to contract with him for any such Service, not exceeding eight Years: Provided such Person, so binding him or her self, come before the Lord Mayor of *London*, or some other Justice of the City, if such Contract be made there or within the Liberties thereof, or before two Justices of the Peace of the Place where such Contract shall be made, and acknowledge his Consent, and sign such Contract in his or their Presence, and with their Approbation: And such Merchant, or other, may transport such Person so binding him or her self, and keep him or her within any of the said Plantations, according to the Tenour of such Contract: Any Law to the contrary notwithstanding: Which said Contract and Approbation of such Magistrates, with the Tenour of such Contract, shall be certify'd by such Magistrates to the next General Quarter-Sessions, to be register'd by the Clerk of the Peace without Fee.

VI. *Señ. 6.* After the 20th of *January*, 1717, if any Person in Prison for Want of sufficient Bail, for unlawful Exportation of Wool or Wool-fells, shall refuse to appear or plead to a Declaration or Information to be delivered to him, or to the Gaoler or Turnkey of the Prison at the said Prison, by the Space of one Term, Judgment shall be enter'd against him by Default; and if Judgment be obtained against him by Default, Verdict, or otherwise, and he shall not pay the Sum recovered against him, within three Months after entring up of such Judgment, the Court before whom such Judgment shall be

be obtained, shall cause him to be transported, in Manner as the Felons aforesaid, for seven Years; and if he shall return into *Great Britain or Ireland*, before the Expiration thereof, he shall suffer as a Felon, and have Execution awarded against him, as Persons attainted of Felony, without Benefit of Clergy.

VII. *Seß.* 8. This A^t shall not extend to Persons convicted or attainted in *Scotland*.

VIII. *Seß.* 9. This A^t shall extend to his Majesty's Dominions in *America*, and be taken as a publick A^t.

Fish and Fishery.

I. *Stat.* 1 G. c. 18. *Seß.* 1. After the 29th of *September*, 1715, no Herring, Cod, Pilchards, Salmon or Ling, fresh or salted, dried or bloated, nor any Grill, Mackarel, Whiting, Haddock, Sprats, Coal-fish, Gull-fish, Congers, nor any Sort of flat Fish, or fresh Fish whatsoever, shall be imported or sold in *England*, which shall be taken by, bought of, or received from, any Foreigner, or out of any Stranger's Bottom; except Protestant Strangers inhabiting in this Kingdom; nor shall any Person give or exchange Goods for Fish so taken.

II. *Seß.* 2. Every Master, &c. of any Smack, &c. in which any Fish shall be imported or brought to Shore, contrary to this A^t, being thereof lawfully convicted upon his Appearance, or Default made after due Summons, before one or more Justices of Peace of the County, &c. where the Offender resides, or shall be found, by the Oath of two credible Witnesses, shall forfeit for every Offence 20*l.* to be levied by Distress and Sale of his Goods, by Warrant from such Justices; and for Want of Distress shall be committed to the common Gaol, there to suffer twelve Months Imprisonment.

III. *Seß.* 3. Provided, That nothing herein contain'd shall extend to prevent the Importing or buying any Eels, Stock-fish, Anchovies, Sturgeon, Botarge, or Cavear.

IV. *Seß.* 4. If after the 25th of *September*, 1716, any Person shall use at Sea, upon the Coast of *England*, any Trawl-Net, Drag-Net, or other Sea-Net for the catching of any Fish, (except Herrings, Pilchards, Sprats and Lavidnian) which hath a Mesh of less than three Inches and a Half from Knot to Knot, or any false or double Bottom, Cod or Pouch, or shall put any Net, tho' of legal Size, upon or behind the others, in order to destroy the small Fish, he shall forfeit such Nets, and 20*l.* for every Offence, to be recovered as the Penalty above inflicted on the Master, &c. and for Want of Payment or Distress, to be imprisoned in like Manner for twelve Months.

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V. *Sett.* 5. All Penalties mentioned in this Act, except for illegal Nets as aforesaid (all necessary Charges for Recovery thereof being first deducted) shall be distributed, one Moiety to the Informer, the other to the Poor of the Parish where such Offence shall be committed.

VI. *Sett.* 6. Where any illegal Nets shall be proved, as aforesaid, to have been forfeited, they shall be publicly burnt by Warrant of such Justice.

VII. *Sett.* 7. If any Person, after the 29th of September, 1715, shall bring to Shore, in England, sell or expose to Sale, or exchange for other Goods, any unsizeable Fish, which shall not be of the several Lengths following, from the Eyes to the utmost Extent of the Tail, *viz.* every Biet or Turbet, sixteen Inches, every Brill or Pearl fourteen Inches, every Codlin twelve Inches, every Whiting six Inches, every Bass and Mulllet twelve Inches, every Sole, Plaice or Dab eight Inches, and every Flounder seven Inches; every Person so offending, shall, for every such Offence, forfeit the Fish to the Poor of the Parish, and 20 s. one Moiety to the Informer, and the other to the said Poor, to be levied as other Penalties by this Act are directed; and in Default of Payment or sufficient Distress, to be sent to the House of Correction, (by Warrant of a Justice,) or other common Gaol of the County, &c. where the Offence shall be committed, there to be severely whipp'd and kept to hard Labour for six Days, and not longer than fourteen.

VIII. *Sett.* 8. Where any Person shall suffer Imprisonment for any Offence contrary to this Act in Default of Payment or sufficient Distress for any Penalty, he shall not be liable afterwards to pay such Penalty.

IX. *Sett.* 9. No Person shall be punished for any Offence against this Act, unless the Prosecution be commenced within one Month after the Offence shall be committed.

X. *Sett.* 10. It shall be lawful for any Person, as well Foreigners as British, to import into and sell in Great Britain, any Quantity of Lobsters or Turbets, whether of foreign or British Catching, in the same Manner they might have done before the Act of 10 & 11 W. 3. c. 24. was made.

XI. *Sett.* 11. The Clause in the Act 4 & 5 A. c. 21. relating to the Catching of Salmon, &c. from the 30th of June till after the 11th of November, so far as it relates to the Owners of the Fishery in the respective Rivers in that Act mentioned, and to all other Persons entitled to fish in the same, their Servants, &c. is hereby repealed.

XII. *Sett.* 12. It shall be lawful for all such Owners, &c. at any Time hereafter, from the 11th of November, 1715, till the 1st of August in every Year, to take or kill any Salmon, Salmon-Peal, or Salmon-Kind, or expose them to Sale within the Times aforesaid.

XIII. *Stat. 13.* Provided, That no such Owner, &c. or his Servants, &c. shall after the 1st of *August*, 1716, and between that Day and the 12th of *November* then next following, in any Year, take, kill or wilfully hurt any Salmon, &c. by Hawks, Racks, Gins, Nets, Angles, or other Devices, or offer to Sale any of the said Fish so taken, on the like Pains, &c. as are mentioned in the said Act of 4 & 5 *A. c. 21.* (which see in *Vol. 2.* sub hoc titulo.)

XIV. *Stat. 14.* If any Person shall, at any Time hereafter, lay or draw any Nets, Engines, &c. or do, or cause to be done, any other Act in the Rivers *Severn, Dee, Wye, Trent, Were, Tuss, Ribble, Mersey, Dun, Ayr, Ouzs, Swaile, Calder, Wharf, Euxs, Darwent and Trent*, or any of them, whereby the small Fry of Salmon, or any Kepper or Shedder Salmons, or any Salmon not eighteen Inches long, from the Eye to the Middle of the Tail, shall be taken or killed, or shall hereafter make or set any Bank, Dam, Hedge, or Stank, or Nets, cross the said Rivers, or any Part thereof, whereby the Salmon therein may be taken, or hinder'd from going up the said Rivers to spawn; or shall hereafter between the last of *July* and the 12th of *November* for ever, by any Net, Device, &c. take, kill, or wilfully hurt any Salmon of any Kind or Size whatsoever, in the said Rivers, or shall at any Time after the said 12th of *November*, fish there for Salmon with any other Net than is allowed of by the Acts of 1 *El. c. 17.* and 30 *C. 2. c. 9.* and shall be convicted thereof before one Justice of the Peace of the County where the Offence was committed, either upon View of such Justice, by Confession of such Offender, or by one Witness upon Oath, he shall forfeit 5 *l.* for every such Offence, besides the Fish so taken, and the Nets, &c. used in doing the same; one Moiety of the said Sum to the Informer, the other to the Poor of the Parish where the said Offence shall be committed, to be levied by Distress and Sale of the Offender's Goods, by Warrant of the Justice before whom convicted, rendering the Overplus, above the Charges of the Distress, to the Person so distrained; and for Want of such Distress, the Offender shall be committed to the House of Correction, or other County-Gaol, for not more than three Months, nor less than one, there to be kept to hard Labour, and suffer such other corporal Punishment as the said Justice shall think fit; and the said Justice shall order such Nets, &c. made Use of in taking such Fish, to be seized and cut in Pieces, or otherwise destroy'd in his Presence; and shall cause such Banks, &c. made cross the River, to be demolished and removed at the Charges of the Offender; such Charges, if not paid on Conviction, to be levied in the same Manner, as the said Sum of 5 *l.* is appointed to be levied.

XV. *Stat. 15.* No Salmon shall be sent to London from any the above-mentioned Rivers, to Fishmongers, or their Agents, that shall weigh less than six Pounds each Fish; and every Person buying, selling or sending a Salmon of less Weight, who shall be convicted thereof in Manner aforesaid, shall forfeit 5 l. besides the Fish so bought and sold; one Moiety to the Informer, the other to the Poor of the Parish where the Offence shall be committed; the said Sum, if not paid on Conviction, to be levied by Distress and Sale of the Offender's Goods, by Warrant of the Justice before whom he shall be convicted, rendering the Overplus above the Charges of Distress, to the Owner; and for Want of such Distress, to be sent to the House of Correction or County-Gaol, there to be kept to hard Labour for three Months, unless the Forfeiture be paid in the mean Time.

XVI. *Stat. 16.* Provided, That no Offender punished by Force of this Act, shall be prosecuted, nor incur the Penalty of any other Law for the same Offence.

XVII. *Stat. 17.* All Persons, thinking themselves aggrieved by any Judgment of the Justices of the Peace, in any of the Cases aforesaid, may appeal to the Quarter-Sessions of the County, &c. who are hereby empower'd to hear and finally determine the same.

XVIII. *Stat. 18.* Nothing in this Act shall extend to any ancient Weirs or Locks on any Rivers; but the Proprietors thereof may repair, rebuild, remove or take down any of them, as they might have done if this Act had not been made.

XIX. *Stat. 5 G. c. 18. Pars inde. Stat. 6.* For Encouragement of the Fishing-Trade the following Rates shall be allow'd for all such Fish hereafter mentioned, as shall be exported from Great Britain to Places beyond-Sea, viz.

For every Cask of Pilchards or Scads, containing fifty Gallons, 7 s.

For every Hundred of Codfish, Ling, or Hake, (except Haberdine) in Length fourteen Inches, from the Bone in the Fin to the third Joint in the Tail, 5 s.

For every Barrel of wet Codfish, Ling or Hake, containing thirty-two Gallons, 2 s.

For every Hundred of dried Codfish, Ling or Hake, called Haberdine, 3 s.

For every Barrel of Salmon, containing forty-two Gallons, 5 s. 6 d.

For every Barrel of white Herrings, containing thirty-two Gallons, 2 s. 8 d.

For every Barrel of full red Herrings, containing thirty-two Gallons, 1 s. 9 d.

For every Barrel of clean Shotten Herrings, containing thirty-two Gallons, 1 s.

For every Last of dry'd red Sprats, 1 s.

And so in Proportion for a greater or lesser Quantity: All which Allowances shall be paid by the Collector of the Duties on Salt in the Port from whence such Fish shall be exported, within thirty Days after Demand, on a Debenture to be prepared by the Collector of the Customs at the Port where such Fish shall be enter'd out for Exportation, and verif'd by the Searcher as to the Quantity; and on Oath of the Exporter, That the Fish were *British* taken, and really exported for Parts beyond the Seas, and not relanded, nor intended so to be, in *Great Britain*; for which Debenture no Fee, &c. shall be taken: And if the Officer hereby directed to pay such Debenture, have not sufficient Money in his Hands, then, on his Certificate thereof, (which shall be given *gratis*, and without Delay) the Commissioners of the Excise upon Salt shall be chargeable with the said Payment, to be made in Course out of the first Money in their Hands, arising of the said Duty; and the Debentures for Fish exported from *Scotland*, shall be paid by the Commissioners of the Customs or Excise in *Scotland*, at the Option of the Merchant: And any Officer refusing to pay the said Money, or to give such Certificate, shall forfeit double the Sum so to be paid, to the Party grieved, to be recover'd by Action of Debt, &c. wherein no Essoin, &c. shall be allowed. And the Officers for the Duty on Salt, before any Codfish, Ling or Hake, shall be laid on Board for Exportation, shall cut off Part of the Tail of every such Fish, that it may be known that such Codfish, &c. hath been exported, and Allowances obtained, if the same shall be re-imported: And the said Officers are to mark the Barrels wherein any Pilchards, Scads, White or Red Herrings, Salmon, or dried red Sprats, shall be exported, for the Purposes aforesaid: And if any the before-mentioned Fish shall after Exportation be fraudulently re-imported, they shall be forfeited, and double the Value thereof, to be recover'd of the Importer or Proprietor: And no Allowance shall be paid for the Exportation of any Fish not well cured or unmerchable.

XX. *Sett.* 7. The Officers of the Salt Duties, at all Times when Fish are curing, bulking or packing, and at other Times, in the Day or Night, may, with a Constable or other Peace-Officer, enter into the Cellars and Ware-houses of the Curers of Fish, to inspect them, and to gauge the Salt for the Discovery of any Frauds; and to mark the Casks wherein the Fish are put for Exportation. And if any Person shall hinder any such Officer in the Performance of his Duty, he shall forfeit 20 l.

XXI. *Seff. 8.* Where any Fish, entitled by Law to any Allowance on Exportation thereof, shall be loaden and duly enter'd and pass'd by the proper Officer, after the 25th of March, 1719, shall be lost or spoiled before the Ship's Proceeding on her Voyage; then the proper Officer of the Port shall be obliged, on due Proof thereof upon Oath before any of the chief Officers of such Port, by the Proprietor of the said Fish, or his Agents, to make out Debentures for the Bounty of the said Fish, as if it had been actually exported to Parts beyond the Seas: Provided, the said Fish was sunk in the Sea or Port where the said Ship was lost, in Sight of the proper Officer, where any of the said Fish shall come a-shore, and that no Use be made of it by the Proprietor: And the said Officer is to cause such Fish to be burnt or otherwise destroy'd.

XXII. *Seff. 9.* Whereas the Ships *Sovereign-Galley* of *Bristol*, *George-Galley* of *London*, and *James* of *Leith*, were by Stress of Weather, or other Accident, cast away and lost, in or near the Ports where they were loaden with Fish and other Goods, for Exportation; which said Ladings of Fish were lost or utterly spoiled, and render'd unfit for any Market; and whereas some Doubt hath arisen about the making out Debentures for the Drawbacks for the Fish so spoiled; enacted therefore, That the proper Officers at the several Ports where the said Ships were loaden, do, upon Proof by the Oaths of the Proprietors of the said Fish, or their Agents, that such Fish was really lost, make out Debentures for the Drawbacks and Bounties for the said Fish so lost; in the same Manner as is directed by several Acts now in Force to be done for Fish really exported.

XXIII. *Seff. 10.* If any red Herrings or Sprats shall, during the Time of their drying or curing, be burnt, and render'd unfit for Use; in such Case the Number so burnt shall be computed by the Proprietor, in Conjunction with the Salt-Officer of the Place; which Computation, added to the Account given in of the Quantity of Herrings or Sprats exported or shipped for Exportation, shall be accepted at the Salt-Office, in the same Manner as if all the said Herrings had been really exported.

XXIV. *Seff. 12.* The present Allowance of 10 s. 5 d. per Barrel of White Herrings shall be paid for all Herrings exported from *Scotland* in Barrels of the *Scots* Gauge, (which contain eight Gallons two Pints, *Scots* Measure, which amounts only to twenty-nine Gallons, three Pints, one Gill and a Half, *English* Wine-Measure) and proportionably for Half-Barrels; Provided the said Herrings be exported before the 1st of May, 1719.

XXV. *Stat. 13.* The Premiums granted by this Act upon White Herrings, shall be paid upon Herrings exported in the said Barrels, in such Proportion as the Gauge of the said Barrels bears to thirty-two Gallons, *English Wine-Measure*: Provided the said Barrels be filled with Herrings before the 1st of December, 1720.

XXVI. *Stat. 14.* Whereas divers Merchants have exported several Quantities of Salmon in Barrels or Boxes, neither agreeable to the *Scotch* nor *English* Laws; and the Officers of the Customs having gauged the said Barrels or Boxes, have given Debentures for the Allowance in Proportion to forty-two Gallons *English Wine-Measure*, wherein no Circumstances of Fraud appear: Therefore enacted, That the said Debentures shall be paid in such Manner as they ought to have been, if such Exportation had been made according to the Rules of Law.

XXVII. *Stat. 15.* After the 1st of June, 1719, the Contents of the Herring and Salmon Barrel shall be the same throughout the whole united Kingdom, *viz.* The Herring Barrel shall contain thirty-two Gallons, and the Salmon Barrel forty-two; and all Exportation in Barrels of a different Size, (the empty Herring Barrels, now in Hand, excepted) shall be adjudged an unlawful Exportation, and shall not entitle the Exporter to any Premium in Respect thereof.

XXVIII. *Stat. 16.* Provided nevertheless, That Herrings or Salmon may be exported in Half-Barrels, according to the Proportion above-mentioned, but in no other Cask of any other Size; and they shall be entitled to a proportionable Premium for every such Half-Barrel.

XXIX. *Stat. 23.* No Herrings, Pilchards, Scads, Codfish, Ling, Hake, Salmon, or dried Red Sprats, shall, after they are put on Board any Boat, &c. in any River, &c. in Great Britain, for Exportation, after the 24th of June, 1719, be taken out of such Boat, &c. otherwise than to put such Fish into the Ships in which they are to be exported, nor put on Shore, except in the Presence of some Salt-Officer, under the same Penalties and Forfeitures as by the Act of 2 A. c. 14. is directed. [See the rest of this Act in title Salt.]

Game.

I. *Stat. 3 G. c. 11. Stat. 1.* After the 10th of July, 1717, No Lord or Lady of a Manor shall appoint any Person to be a Game-keeper, with Power to take or kill any Hare, Pheasant, Partridge, or other Game, unless such Person be

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qualify'd so to do by the Laws of this Realm, or be truly a Servant to the said Lord or Lady, or be immediately employ'd to kill the Game for the sole Use of such Lord or Lady: And no Lord, &c. shall authorize any Person, not qualified by Law, to keep or use any Greyhound, Setting-Dog, Hays, Lurchers, Guns, Tunnels, or any other Engine to kill the Game: And any Person, not being qualify'd by the Laws so to do, or not being truly a Servant of any Lord, &c. or not immediately employ'd to take or kill the Game, for the sole Use and immediate Benefit of such Lord, &c. who, under Pretence of any Deputation, &c. to him granted by any Lord, &c. shall take or kill any Game, or use any Greyhounds, &c. being convicted thereof, shall for every Offence incur such Forfeitures, &c. as are appointed to be inflicted by the Acts of 5 A. Sess. 2. c. 14. and 9 A. c. 25. which see in Vol. 2. sub hoc titulo.

II. Sess. 2. The said Acts of 5 and 9 A. and all other Laws now in Force for the better Preservation of the Game, and all Things therein contained, not hereby altered, shall remain in full Force.

Government.

I. Stat. 1 G. c. 8. *An Act to empower his Majesty to secure and detain such Persons, as his Majesty shall suspect are conspiring against his Person and Government.* This Act was to continue till the 24th of January, 1717, and no longer.

II. Stat. 1 G. c. 30. *An Act for continuing an Act of this present Session of Parliament, intituled, An Act to empower his Majesty to secure and detain, &c. EXP.* This Act continued the preceding Act till the 24th of May, 1716.

Gunpowder.

I. Stat. 5 G. c. 26. Sess. 1. Whereas great Quantities of Gunpowder are frequently kept in Warehouses, &c. in and about the Cities and Suburbs of London and Westminster, to the apparent Danger, if not utter Destruction, of several publick Offices, and of the Lives and Fortunes of many Thousands of his Majesty's Subjects: Therefore, for preventing the said Mischiefs, be it enacted, That after the 1st of August, 1719, it shall not be lawful for any Person to keep more than six hundred Pounds of Gunpowder, each Hundred containing fivescore Pounds net Weight, at a Time, in any Store-house or other Place, in either of the said Cities or Suburbs thereof, or within three Miles of the Tower of London, or of the Palace

place at *St. James's*, or within two Miles of any Magazine now erected for keeping Gunpowder belonging to his Majesty.

II. *Sec. 2.* After the said 1st of *August*, any two Justices of the Peace may summon before them any Person dealing in Gunpowder, or who shall be suspected to have any in his Possession within the Limits aforesaid, and examine him on Oath touching the Premises; and if he refuse to be examined, may commit him to the County-Gaol, without Bail, till he conform or submit to answer; and if on such Examination, or by the Oaths of two Witnesses, it shall appear, That he hath at any one Place within the said Limits more than six hundred Pounds of Gunpowder, such Justices shall forthwith cause him carefully to remove the same out of the said Limits; which if he refuse to do for twenty-four Hours after Notice of any Order made by such Justices for Removal thereof, he shall, for every Offence, forfeit 20 s. for every hundred Pounds of Gunpowder, with full Costs of Suit, to any Person who shall, within six Kalendar Months after such Notice, sue for the same by Action of Debt, &c. in any the Courts at *Westminster*, where in no Essoin, &c. nor more than one Imparance, shall be granted or allowed.

III. *Sec. 3.* Any two Justices, within the said Limits, may, after the said 1st of *August*, issue their Warrants for searching in the Day-time any Storehouse, &c. for keeping Gunpowder, and, for that Purpose to break open any such Storehouse, &c. if there shall be Occasion; and every one who shall oppose or hinder such Search, shall forfeit 5 l. to any Person who shall inform and sue for the same in any Court of Record at *Westminster*, by Action of Debt, &c. in which no Essoin, &c. nor more than one Imparance shall be allowed. And if more than six hundred Pounds of Gunpowder shall, upon Search, be found in any Storehouse, &c. the Justices shall cause the same to be carefully removed out of the said Limits, at the Charge of the Owner or other Person having the Custody thereof, to be levied on his Goods and Chattels by Warrant of such Justices, rendering the Overplus.

IV. *Sec. 4.* After the said 1st of *August*, no Person shall carry through the Cities or Suburbs of *London* or *Westminster*, more than twenty hundred Pounds of Gunpowder, each hundred containing as before, at a Time: And all Gunpowder, carry'd through any the Streets and Lanes in the said Cities, &c. shall be carried in cover'd Carriages, and the Barrells shall be close-jointed and hooped, and be put into Bags of Leather or Canvas; and Gunpowder carry'd by Man or Horse, shall be put into such Cases and entirely covered therewith, so as no Gunpowder be scatter'd in the Passage; and all Gunpowder carry'd otherwise, or in greater Quantity than aforesaid, shall be for-

forfeited, and may be seized by any Person to his own Use and Benefit, the Offender being convicted before two Justices.

V. *Seç. 5.* Nothing in this Act shall extend to affect any Storehouse or Magazine belonging to the King, wherein Gunpowder or other Stores shall be kept for the Use of the Publick; or to hinder the proving or trying of Gunpowder by his Majesty's Officers, as usual; or to the carrying of Gunpowder to or from his Majesty's Magazines, or with Forces in their Marches.

VI. *Seç. 6.* If any Suit be prosecuted for any Thing done in Pursuance of this Act, the Person prosecuted may plead the General Issue, &c. and shall recover treble Costs.

VII. *Seç. 7.* All Suits and Prosecutions against any Persons for any Thing done by Authority of this Act, shall be laid and tried in the County where the Fact was committed, and shall be commenced within six Kalendar Months after the Fact committed, and not otherwise.

VIII. *Seç. 8.* The Justices of the Peace for *Essex, Kent* and *Surrey*, shall at their general Quarter-Sessions appoint some proper Plot of Ground out of the Limits aforesaid, not exceeding two Acres in any one Place, being situate in the said Counties, and adjacent to or near the *Thames*; on which Plots of Ground any Person may erect Ware-houses for keeping Gunpowder, first agreeing with the Proprietors of the said Ground for the same: And if any Proprietor shall not agree, or by Reason of any Disability or Impediment cannot, the Justices for the said Counties respectively shall, at their General Quarter-Sessions, issue their Warrants to the Sheriffs of the said Counties, to return a Jury, who on their Oaths shall enquire into the true Value of the said Plots of Ground; and all such Verdicts and Inquisitions shall be kept with the Records of the Sessions; and the Judgments and Decrees of the Justices shall be final and conclusive to all Parties; and to that End the Justices may send for any Persons interested, and examine any Parties or Witnesses on Oath; and the Sum to be adjudg'd as aforesaid, not exceeding thirty Year's Purchase, shall be paid to the Proprietors of the Ground; and on such Payment, or Refusal to accept the same, then, on leaving the same with the Justices for the Benefit of such Proprietor, the Inheritance shall be vested in the Purchaser, his Heirs and Assigns: And the Warehouses aforesaid, and all others for Gunpowder, erected on or near the *Thames*, shall be built and secured in such Manner, as shall be prescribed by the Principal Officers of the Ordnance.

IX. *Seç. 9.* All Leases, &c. enter'd into, as aforesaid, of any such Warehouses, &c. within the Cities and Suburbs of *London* and *Westminster* shall, if the Lessees desire it, after the 1st of *August*, 1719, be null and void.

122 Gunpowder. Half-Pay Officers.

X. *Stat.* 10. Provided, That nothing herein shall discharge any Rent due on or before the 25th of *March*, 1719, or any Demand for Breach of Covenant before that Time:

Half-Pay Officers.

I. *Stat.* 4 G. c. 3. *Stat.* 18. Enacted, That as to the Half-pay to be paid to the reduced Officers of the Land-Forces and Marines, the following Rules shall be observed in the Application thereof, *viz.*

1. That no Person shall have or receive any Half-pay, who was under the Age of sixteen Years when the Regiment, Troop, or Company, in which he served, was reduced.

2. Nor any Person, unless he did actual Service in some Regiment, Troop, or Company.

3. Nor any Person having any Place of Profit, civil or military, under his Majesty.

4. Nor any Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice, or other Preferment in *Great Britain* or *Ireland*.

5. Nor any who resign'd his Commission, and has had no Commission since.

6. That no Half-pay shall be allowed to any Person, by Verrue of any Warrant or Appointment, except to such as would have otherwise been entitled to the same as reduced Officers.

7. Nor to any of the Officers of the five Regiments of Dragoons, and eight of Foot, lately disbanded in *Ireland*; except to such of them as were taken off the Establishment of Half-pay in *Great Britain*.

Habens.

I. *Stat.* 1 G. c. 49. *Stat.* 1. The Act 8 & 9 W. 3. c. 29. For Repair of the Piers of Bridlington *alias* Burlington in the East Riding of the County of York, and all the Duties thereby granted, and every Clause therein, shall after the 24th of June, 1716, be revived, continued, and paid for fourteen Years, *viz.* from the said 24th of June, 1716, to the 24th of June, 1730. And Rich Lord Viscount *Irwyn*, Sir *Griffith* *Boynston*, Sir *Charles* *Hotham*, Sir *William* *Strickland*, Sir *William* *St. Quintin*, Barons; *Walter* *Strickland*, *William* *Strickland*, *Hugh* *Chomley*, *Wil-*
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liam Pirson, William Thompson, Ralph Greyk, Thomas Goulten, Thomas Hassel Esquires; and John Grimston, Gent. and the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, (or their Deputies, Officers, or Assigns to be appointed under the Hands and Seals of four or more of them) are empower'd, during the said Term, to raise and dispose of the said Duty, in such Manner, by the same Rules, &c. and under the same Penalties, &c. as are prescribed in the said Act, (which see in Vol. 2. sub hoc titulo.)

II. Stat. 4 G. c. 13. Sect. 1. The Acts of 11 & 12 W. 3. c. 5. and 2 & 3 A. c. 7. for Repair of *Dover-Harbour*, and every Clause in either of them contained, shall continue and be in Force, from the 1st of *May*, 1718, to the 1st of *May*, 1727.

III. Stat. 5 G. c. 10. Sect. 1. The Preamble recites the above Act of 1 G. c. 49. and then it is enacted, That the Trustees appointed by the said Act, together with *Thomas Willoughby Esq;* *Sir William Osbaldeston Knt.* *Charles Hotham, William Osbaldeston, Francis Boynton, James Moyser, and Henry Barnard Esqrs.* or any five or more of them, or such Persons as they shall nominate; (by themselves, their Deputies, Workmen, &c.) shall have full Power to lengthen the North and South Piers, not exceeding sixty Foot each, and to rebuild the South Pier, or any Part thereof, on such Foundation as they, or any five of them, shall think proper; also to build such Jetties, and other necessary Works, as shall be convenient for strengthening, preserving, &c. the said Piers.

IV. Sect. 2. The said Act of 8 & 9 W. 3. c. 29. with all the Powers thereby given for levying, &c. any Sum of Money for repairing or rebuilding the said Piers, shall, after the said 24th of *June*, 1730, continue in Force for twenty-five Years; and the Trustees named in the said Act, together with the Persons herein before named, or their Deputies, &c. shall, and are hereby empowered to raise, dispose of, &c. the Duties granted and continued by the said Acts in such Manner, as is prescribed therein, as fully and effectually as if they were repeated in the Body of this Act.

V. Sect. 3. If the said Trustees shall be reduced by Death to eight, or fewer, then it shall be lawful for the surviving Trustees to elect others in their Places; and such Trustees, so elected, shall have the same Power as if they had been appointed by this Act.

VI. Sect. 4. After the 24th of *June*, 1719, for the Term of thirty-six Years, the several additional Rates and Duties hereafter mentioned, (over and above the Duties payable before the passing of this Act) shall be levied, and collected, *viz.*

For

For every Quarter of Corn exported from *Burlington*, 1 *d.*

For every Hundred of Fir-Balks imported into the said Port, 5 *s.*

For every Hundred of Fir-Deals, imported, 3 *s.*

For every Hundred of Fir-Spurs, imported, 1 *s.*

Which said Duties shall be paid at the shipping or landing the Goods by the Exporters or Importers thereof.

For every Ship *English*-built, entering the said Port, 1 *s.* 6 *d.*

For every Top of such Ship, 4 *d.*

For every Ship foreign-built, 3 *s.*

For every Top of such Ship, 8 *d.*

To be paid by the respective Masters.

VII. *Sec.* 5. The additional Duties hereby granted, shall be raised, &c. by such Ways, in such Manner, under such Penalties, &c. and with such Powers, as the Duties granted by the Acts aforesaid, are therein directed to be; and the said new Duties, and all Penalties and Forfeitures on Account thereof, shall be applied towards the Lengthening, Building, &c. of the said Piers and other Works.

VIII. *Sec.* 6. All Persons, Lands, Tolls, Port-Duties, &c. heretofore chargeable with the Building, Repairing, &c. of the said Piers, &c. shall continue so to be after the said Piers shall be lengthen'd, alter'd or built on any new Foundation as aforesaid, in the same Manner as they were chargeable therewith before the said Piers, &c. were so lengthen'd, &c.

IX. *Sec.* 7. Any five of the said Trustees are hereby empower'd, by Indenture under their Hands and Seals, to assign over the said Duties, by the former Acts, and by this present Act granted or continued, or any Part thereof, for all the Time, or any Part of the Time, for which the Sums are so granted, &c. and also to grant or demise all such Tolls, Harbour-Dues, and other Duties, as are now chargeable with the Building, &c. of the said Port, &c. for any Number of Years, not exceeding thirty-six, as a Security for any Money by them to be borrowed for the Purposes of this Act, to such Persons as shall advance the same; which Money so borrow'd shall be apply'd as the said Duties should have been by this and the former Acts.

X. *Sec.* 8. If any Suit be commenced against any Person for any Thing done in Pursuance of this Act, the Action shall be laid in the County of *York*; and the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be nonsuit, &c. the Defendant shall recover treble Costs.

Waters

Hawkers and Pedlars.

I. Stat. 4 G. c. 6. *Sec. 1.* No Person being a Maker or wholesale Trader in *English* Bonelace, and selling the same by Wholesale, shall be adjudged to be a Hawker, Pedlar, or Petty Chapman within the Intent and Meaning of the Acts 8 & 9 W. 3. c. 25. and 9 & 10 W. 3. c. 27. (*Both which Acts see in Vol. 4. tit. Taxes*) and all such Persons, their Children, Apprentices, Servants or Agents, (selling by Wholesale only) may go from House to House, and from Shop to Shop, to any of their Customers, who sell again by Wholesale or Retail, without being subject to the Penalties or Forfeitures contained in any of the said Acts.

Highways.

I. Stat. 1 G. c. 11. *Sec. 1.* After reciting the Act of 6 A. c. 29. it is enacted, That after the 30th of September, 1715, no travelling Waggon, Wain, Cart or Carriage, wherein any Burthens shall be carry'd and drawn, (other than and except as in the said Act is excepted) shall at any Time be drawn in any common Highway with above five Horses, Oxen, or Beasts in Length, on the like Pains, &c. and subject to the Proviso's in the said recited Act mentioned, or in the Act 9 A. c. 18. to render more effectual the Act of the 6th of her Majesty's Reign. [*Both which Acts see in Vol. 2. sub hoc titulo.*]

II. *Sec. 2.* The Exception in the said Acts, or in any other Act whatsoever, shall not extend to the excepting the Carriage of threshed Corn and Coal.

III. Stat. 1 G. c. 52. *Sec. 1.* All the Laws and Statutes now in Force for repairing of common Highways, and not hereby altered or repealed, shall be duly put in Execution.

IV. *Sec. 2.* All Surveyors of the Highways, that are or shall be appointed by Virtue of the Act 3 & 4 W. & M. c. 12. shall within fourteen Days after Acceptance of their Office, and so every four Months, or oftener, if required by Warrant from two Justices of the Peace, view all the Roads, common Highways, Bridges, Causeways, Pavements, Hedges, Ditches and Watercourses belonging to such Highways, with all Nuisances or Incroachments made upon them, within the Parish, &c. where they are Surveyors, and give a true Account in Writing upon Oath of the State and Condition of all such Highways, and especially of such Defects as want to be repaired, and of the Neglects of Labourers, and of those who
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are obliged to find Labourers or Teams, to the Justices at their next special Sessions, that the said Accounts may be carefully preserved, and that at all future Sessions the Justices of the said Division may have full Information of the State of all the Roads, &c. and the better execute the Powers in the Laws relating to Highways: And all Surveyors neglecting to give such Account, shall suffer the same Penalty as if they refused to execute the said Office, to be levied and disposed of as by the said Act is directed, unless they have some reasonable Excuse for omitting the same, to be allowed of by the Justices at their Special Sessions.

V. *sect. 3.* The Justices at their Special Sessions may, by Writing under their Hands and Seals, order the Reparation of those great Roads, which most want Repair, to be first amended, and at what Time or in what Manner it shall be performed; according to which Order, if such there be, the Surveyors shall proceed.

VI. *sect. 4.* The Surveyors shall take the first most convenient Time of the Year for repairing the Highways, and take Care that the Work be perfected before Harvest; and accordingly summon the Teams and Labourers to come in on the most early Days the Year will afford, and repair such Ways in Priority as the Justices at their Special Sessions shall order; and in Case of no such Order, then to repair such Highways as to them shall seem most needful.

VII. *sect. 5.* If any Fine, Penalty or Forfeiture be laid on any Surveyor or other Person, for not doing his Duty for the Amendment of any Highways, and the said Fines, &c. shall be misapply'd, on Proof thereof on Oath before the Justices at such Special Sessions, every Person so offending shall forfeit the Sum of 5 *l.* to the Informer, to be levied by Distress and Sale, &c. And the said Justices are empower'd to examine on Oath all Persons that can give Account of Money that ought to be apply'd for Amendment of the Highways; and levy the Penalties and dispose of the Forfeitures as aforesaid.

VIII. *sect. 6.* On Application of the Surveyors to the Justices of Peace for the County, &c. at their Quarter-Sessions, the said Justices being satisfy'd that the Highways are so far out of Order, that they can not be repair'd as they ought to be without farther Power than the Laws have hitherto directed, may, at their Sessions, cause Assessments to be made, not exceeding the Proportions limited by the Act 3 & 4 W. & M. c. 12. (which see in Vol. 2. tit. Highways) and the Money to be disposed of as by the said Act is directed, tho' the six Days Work have not been performed: But the raising Money by Assessment not to excuse the Work of any Teams or Labourers by Law appointed to work at the said Ways.

IX. *Stat.* 7. The Justices of Peace of all Cities, Corporations, &c. are to put in Execution any Part of this or any former Act, relating to any Highways in their Jurisdiction.

X. *Stat.* 8. After the 29th of September, 1716, if any Person who ought to scour and keep open the Ditches, and usual Water-courses adjoining to Highways, and to remove any Annoyances, shall, for thirty Days after Notice thereof given by the Surveyors, neglect to do the same, or shall leave the Earth of Ditches scoured in the Highways for eight Days, Oath being thereof made by the Surveyors before the Justices at their Special Sessions, such Offender shall, for every eight Yards of Ditching not so scoured and kept open, forfeit 2 s. 6 d. and for each other Offence aforesaid, any Sum not exceeding 5 l. nor under 20 s. to be levied by Distress and Sale; which Forfeitures shall be apply'd by the Surveyors to the Amendment of the Highways. And the Surveyors are hereby authorized with their Workmen to scour and keep open such Ditches and Water-courses, and to remove all Annoyances; and where the Ditches and Drains are not sufficient to carry off the Water that lies upon and annoys the Highways, to make new Ditches and Drains through the Lands next adjoining, and to keep them scoured and open, and they may come upon the said Lands to make such Ditches and scour the same with Workmen.

XI. *Stat.* 9. Where the Justices of Peace of any City or Market-Town, shall at their Quarter-Sessions, judge it necessary to appoint Scavengers for cleansing the Streets, they may nominate such Persons as they shall think fit, and order the repairing of such Streets therein as they shall judge necessary; and for defraying the Charges thereof, an Assessment, not exceeding 6 d. in the Pound, may be made upon all the Occupiers or Owners of Houses, &c. in such Cities. And such Assessment shall be made by such Persons, and levied in such Manner, as the Justices at their Sessions shall direct; and the Money raised shall be apply'd and accounted for according to the Orders of the said Justices, for repairing and cleansing the Streets: And the said Assessments being allowed under the Hands and Seals of the Justices, shall be levied by their Warrant, by Distress and Sale of the Goods, &c. of Persons not paying the same within eight Days after Demand, rendering the Overplus, if any, to the Owner, the necessary Charges of such Distress being first deducted.

XII. *Stat.* 10. If any Surveyor neglect his Duty in any Thing required of him by this Act, he shall forfeit for every Offence 40 s. to be levied and disposed of as aforesaid.

XIII. *Stat.* 11. No Justice's Clerk or Servant shall receive any Money of any Surveyor for the Oath taken, or Account given by them at such Special Sessions, on the Forfeiture of

10 *l.* to be recovered in any of his Majesty's Courts of Record as aforesaid.

XIV. *Seff.* 12. Provided, If any Persons find themselves aggrieved by any Thing done in Execution of this Act (except as to such Persons who shall neglect to scour their Ditches, carry away the Earth, &c. or to remove any other Annoyances by Water-courses) the Justices at the next Quarter-Sessions may make such Order therein as to them shall seem convenient, and the same to conclude all Persons.

XV. *Seff.* 13. Persons sued, &c. may plead the General Issue, &c. and if the Plaintiff be nonsuit, &c. the Defendant shall recover double Costs.

XVI. *Seff.* 14. None shall be punished for any Offence against this Act, unless he be prosecuted within six Months after the Offence committed: And no Person punished by this Act, shall be punished for the same Offence by any other Act.

XVII. *Seff.* 15. The Lord Mayor and Justices of the Peace for the City and Liberties of London, and the Commissioners appointed pursuant to the Act of 22 & 23 C. 2. shall within the said City and Liberties, use and exercise all the Powers and Authorities vested in them by that Act, or any other Act, as if this Act had not been made.

XVIII. Stat. 5 G. c. 12. *Seff.* 1. After the 24th of June, 1719, no Waggon travelling for Hire, shall be drawn with more than six Horses, either at Length or in Pairs, or Side-ways, and no Cart travelling for Hire, shall after the said Day be drawn with more than three Horses; on Forfeiture of all the Horses above six in a Waggon, and above three in a Cart; with all Geers, Bridles, Halters and Accoutrements, to the sole Use and Benefit of him who shall seize or distrain the same.

XIX. *Seff.* 2. The Person making such Seizure or Distress shall deliver the Horses or other Things so seized or distrained into the Custody of the Constable or other Parish-Officer, of the same, next, or adjacent Town or Parish (who are hereby required to receive and safely keep the same) till the Person who distrained shall make Proof on Oath before some Justice of the Offence committed; and the Justice shall issue his Precept to such Constable, &c. immediately to deliver the Horses, &c. so forfeited, to the Party who seized, &c. for his sole Use and Benefit, paying such reasonable Charge for keeping and securing such other Things as the Justice shall allow.

XX. *Seff.* 3. After the 29th of September, 1719, no Waggon travelling for Hire, having the Wheels bound with Streaks or Tire of a less Breadth than two Inches and a Half, when worn,

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or set on with Rose-headed Nails, shall be drawn with more than three Horses, on Forfeiture of all the Horses above three; with all the Geers, &c. to be seized and apply'd as aforesaid.

XXI. *Seß.* 4. If any Person shall hinder or attempt to hinder, with Force or otherwise, the seizing, distraining, or carrying away of any Seizure or Distress, for any Forfeitures incurred by this Act, or shall rescue the same, or use any Violence to the Persons concerned in making such Seizure, every such Person shall, on Oath thereof made by one or more Witnesses before a Justice of the Peace, be sent to the common Gaol for three Months without Bail, and forfeit 10*l.* to be levied on his Goods and Chattels, by Warrant from such Justice: And if the Penalty be not paid in three Days after Distress made, then the Person distraining may sell the Goods, rendering the Overplus to the Owner, deducting the Charge of such Distress and Seizure.

XXII. *Seß.* 5. Provided, That nothing in this Act shall extend to Waggon, &c. employ'd about Husbandry, or manuring of Lands, or in carrying of Cheese, Butter, Hay, Straw, Corn unthreshed, Coals, Chalk, or any one Tree or Piece of Timber, or any one Stone, or Block of Marble, Carravans, and the covered Carriages of Noblemen and Gentlemen, for their private Use, or such Timber, Ammunition, or Artillery, as shall be for his Majesty's Service.

XXIII. *Seß.* 6. Persons sued for any Thing done in Execution of this Act, may plead the General Issue, and give this Act and the Special Matter in Evidence, and if the Plaintiff discontinue, &c. the Defendant shall recover full Costs.

Hops.

I. Stat. 1 G. Stat. 2. c. 2. *Seß.* 17. The Act 9 A. c. 12. entitled, *An Act for laying a Duty upon Hops*, and every Clause, &c. therein contained, shall continue, and be in Force from the last Day of May, 1715, till the 1st of August, 1715, as fully as if the same were herein at large repeated.

I. Stat. 1 G. c. 12. *Seß.* 5. The Duties laid on Hops by the said Act of 9 A. c. 12. and continued by the Act 1 G. as above, shall, from and after the last of July, 1715, be continued for ever, and be charged, collected, paid, &c. by such Rules, Drawbacks, &c. under such Penalties, &c. and in the same Manner as by the former Act; and all the Powers, &c. in the said Act for securing and raising the Duties, or for encouraging the Exportation of British Hops for Ireland, or for restraining the Use of bitter Ingredients instead of Hops, or

touching Hops of foreign Growth, &c. are hereby revived and continued for ever.

III. *Seff* 6. After the 10th of September, 1715, the Master of every Ship carrying Hops to *Ireland*, shall take from the Collector or Controller of the Port in *Great Britain*, where he shall lade any Hops, a Duplicate of his Content in Writing, of all the Hops laden on board his Ship before he be permitted to sail, under the Hand and Seal of such Collector, &c. who shall deliver it to him without Fee; which Duplicate the said Master shall deliver on Oath to the Officer of the Customs in *Ireland* at the Port where such Ship shall arrive, and intends to unlade, before he be permitted to land any Hops: And in Case any Hops shall be landed in *Ireland* before such Duplicate be produced to the Officer, &c. all such Hops, and 10s. for every Pound-Weight of the same, shall be forfeited; one Moiety to the King, the other to the Prosecutor; to be recovered by Action, &c. in any of his Majesty's Courts in *Dublin*.

Jersey, Guernsey, Sark, and Alderney.

I. *Stat.* 3 G. c. 4. *Seff* 4. The Inhabitants of *Jersey*, *Guernsey*, *Sark* and *Alderney*, may import into *Great Britain*, any Goods, Wares and Merchandizes, of the Growth and Manufacture of the said Islands (upon Certificate from the Governors, &c. and Oaths before the Magistrates of *Jersey* and *Guernsey*, that the same were of the Growth, &c.) without paying any Customs or Duties for or in Respect thereof; except such Excise, or other Duty, as is or shall be payable for the like Goods, of the Growth, &c. of *Great Britain*.

II. *Seff* 5. Whereas upon a Doubt of late arisen, Whether, according to some Laws now in Force, such Goods, &c. might still be imported into *Great Britain*, Custom-free? Several Bonds have been taken, with Securities, for answering the Duties demanded for the same, unless discharged from them by Act of Parliament; the said Bonds are hereby declared null and void, and the said Securities discharged from all Prosecutions for the same.

III. *Seff* 6. Provided, That nothing in this Act shall exempt any Goods, &c. of the Growth or Manufacture of any foreign Country, which may lawfully be imported into the said Islands, or such foreign Goods as shall be in Part or fully manufactured there, from Payment of such Customs, &c. on the Importation thereof from any of the said Islands into *Great Britain*,

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Jersey, Guernsey, &c. Imprisonment. 131

Britain, as shall be payable for Goods, &c. of the like Kind imported into *Great Britain* from such foreign Country of which they are the Growth, &c.

IV. Stat. 5 G. c. 18. *Sec.* 12. After the 1st of May, 1719, all Salt imported from *Jersey*, *Guernsey*, *Sark*, and *Alderney*, shall be liable to the same Duties on the Importation thereof as any other foreign Salt whatsoever.

Imprisonment.

I. Stat. 1 G. c. 7. Enacted, That *Robert Blackburn*, *John Bernardi*, *Robert Cassels*, *Robert Meldrum* and *James Chambers*, be detained and kept in Custody, without Bail or Mainprize during his Majesty's Pleasure; for conspiring to assassinate King *William III.*

King.

I. Stat. 1 G. c. 22. *Sec.* 1. It shall be lawful for his Majesty, by Letters Patent, &c. to grant to her Royal Highness the Princess of *Wales*, or to such Persons as his Majesty shall think fit, to the Use of or in Trust for the said Princess, an Annuity of 50,000*l.* per Annum, to commence from the Death of his Royal Highness the Prince, and to continue during the natural Life of the Princess; to be paid Quarterly, viz. at *Michaelmas*, *Christmas*, *Lady-day*, and *St. John Baptist's Day*, by equal Portions; the first Payment to be made at the next Quarter-day after the Decease of his said Highness, in Case the said Princess shall survive him. Which said yearly Sum of 50,000*l.* shall be paid out of the Revenues hereafter specify'd, and in the Proportions following, that is to say, 40,000*l.* Part thereof, out of the Revenues arising by the Post-Office; the weekly Sum of 700*l.* and any other Monies reserved by the Act 9 A. c. 10. for establishing a General Post-Office for the Use of the Publick. excepted and foreprized.

II. *Sec.* 2. The yearly Sum of 10,000*l.* Remainder of the said yearly Sum of 50,000*l.* shall, from and after the Decease of the said Prince, be paid to the said Princess, if she survive him, at the Days and Times fore-mentioned, out of the hereditary Duties of Excise upon Beer, &c. which were given to the Crown in the 12th, and confirm'd in the 13th of G. 2. and continued to his present Majesty for his Life, per

Stat. 1 G. c. 1. shall likewise be charged with the said yearly Sum during the Lives of his Majesty and the said Princess.

III. *Stat. 3.* Provided, That nothing in this Act contain'd, or to be contain'd in such Letters Patent, &c. shall obstruct the Payments of the weekly Sum of 3700 *l.* or the yearly Sum of 35,000 *l.* by former Acts charged on the said Duties of Excise.

IV. *Stat. 4.* If the Revenue of the Post-Office, at the End of any Quarter, shall be insufficient to answer the Payment then due out of the same; then the Controller in the said Office shall, without Fee, make a Certificate of the Sum then wanting to compleat the said quarterly Payment, and deliver the same to the said Princess, or her Order; and upon producing thereof, the Treasury shall cause such Deficiency to be satisfy'd out of any overplus Monies of the said Duties of Excise, with Preference to all Payments hereafter to be charged on such overplus Money: And if the said Duties of Excise, applicable to the Payment of the said yearly Sum of 10,000 *l.* shall, at the End of any Quarter, be insufficient to answer the quarterly Payment then due out of the same, the Controller of the Excise shall, without Fee, make a Certificate of the Sum then wanting to compleat the said quarterly Payment, and deliver the same to the said Princess or her Order; and upon producing thereof the Treasury shall cause such Deficiency to be satisfy'd out of the overplus Monies of the Post-Office Revenues, or out of some other Monies arising by the hereditary Branches of the Revenue appointed for the Uses of the Civil Government, with Preference to all other Payments, as aforesaid.

V. *Stat. 5.* The said yearly Sums amounting to 50,000 *l.* shall be paid from the immediate Hands of the Commissioners, Farmers, Treasurers, Receivers or Collectors of the said Revenues respectively, without Fee or Charge, and the Acquittance of the said Princess, or her Trustees, or of her Receiver General, shall be a sufficient Discharge: And the said Annuity shall be free from all Taxes, &c. And if the said Commissioners, &c. shall not pay the said yearly Sums, the said Princess, her Trustees, or Receiver-General, may sue the said Commissioners, &c. their Securities, Heirs, &c. by Bill, Plaint, or Action of Debt, and shall recover Judgments and sue out Executions thereupon, against the said Commissioners, &c. for such Sum or Sums then due on the said Annuity, as shall be in the Hands of the said Commissioners, &c.

VI. *Stat. 6.* His Majesty may, notwithstanding the Restriction in the Act of 1 *A. c. 7.* by the Letters Patent or Indenture above-mentioned, at any Time before the 25th of March, 1716, grant, settle or assure all that his Palace called *Somerset-House*,

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House, with all its Rights, Members and Appurtenances, in as full and beneficial Manner and Form, as his Majesty might have granted the same, if the Act 1 A. c. 7. or any the Restrictions therein, had never been made; so as by such Grant, &c. a sure Estate or Interest in the said Palace be settled or assured to or for the Use of, or in Trust for the said Princess, in such Manner that she may have the sole Benefit thereof immediately after the Decease of the Prince of *Wales*, during her Life, for the better Support of her Dignity; and so as an Estate be thereby also settled or assured, to or for the Use of or in Trust for the said Princess, her Executors, &c. to take Effect immediately after her Decease, and to continue for one Year from thence next ensuing.

VII. *Seff.* 7. All the Powers, Precepts, Directions and Clauses, to be contained in his Majesty's Letters Patent, &c. for the more certain Payment of the said yearly Sums amounting to 50,000 *l. per Annum*, and for making the respective Revenues liable thereto, and for assuring the said Palace and other the Premises aforesaid, shall be good and effectual in Law, according to the Tenour and Purport thereof, in the said Letters Patent, &c. to be expressed, notwithstanding any Restriction, or other Matter or Thing, contained in the Acts of 1 A. c. 7. and 9 A. c. 10. and any Mis-recital, Non-recital, Omission, or other Defect in the said Letters Patent, &c. notwithstanding.

VIII. *Seff.* 8. Saving to all Persons, &c. (other than to the King, &c.) all such Right, Title or Interest, which they may have in or to the Revenues aforesaid, or in or to the said Palace, &c. before the Making of this Act, as fully as if it had not been made.

IX. *Seff.* 9. Such yearly Sum as his Majesty hath granted or shall grant, to or for the Use of the Prince of *Wales*, not exceeding 100,000 *l. per Annum*, out of the Revenues aforesaid, shall be paid to his Royal Highness, or to his Use, without any Fees to be demanded or taken by the Officers of the Exchequer, or any others, for Payment thereof: And the said yearly Sum shall be free from all Taxes.

X. *Seff.* 10. The King may direct that the said yearly Sum so granted to his Royal Highness, shall be specially charged on such Branches of the Customs and Excise, as are applicable to the Uses of the Civil Government, to be paid during the joint Lives of the King and Prince, by the Commissioners or Receivers General of those Revenues respectively, to the said Prince, or his Treasurer, for his Use; and that such Payments shall be allowed on their respective Accounts.

XI. *Stat.* 1 G. c. 37. *Part inde.* *Seff.* 1. For the better Support and Maintenance of the Honour and Dignity of the

Prince of Wales, it is enacted, That it shall be lawful for his Majesty, by Letters Patent or Indenture under the Great Seal, to give and grant to the said Prince, all and singular the Honours, Castles, Lordships, Manors, Messuages, Lands, Tithes, Tenements, Rents, Hereditaments, Possessions and Premises whatsoever, lying and being in the Counties of *Flint, Denbigh, Montgomery, Carnarvon, Anglesea, Merioneth, Carmarthen, Cardigan, Pembroke, Brecon, Glamorgan, Radnor, Monmouth*, and the County Palatine of *Chester*, which now belong to his Majesty; the same to pass by such apt and proper Denominations, or by such particular or general Descriptions, as the Solicitor, Attorney and Surveyor General, shall approve and advise; so as the same do not extend to any Taxes, Aids or Revenues granted by Parliament for publick Uses: To have and to hold the said Honours, &c. to the said Prince and his Heirs, Kings of *Great Britain*; subject nevertheless to such annual and other Payments and Incumbrances as are legally charged thereon, and usually satisfy'd out of the Revenues of the same.

XII. *Señ. 2.* The Premises so to be granted to his Royal Highness, shall not be comprehended within any of the Provisions or Appointments made by the Acts of 1 A. c. 7. and 1 G. Stat. 1. c. 1. but shall be free and clearly exempted from all such Provisions, &c. as effectually as if the same had been originally excepted out of such Provisions, &c. by the said Acts.

XIII. *Señ. 3.* His Majesty may by the said or any other Letters Patent, &c. grant to his Royal Highness and his Heirs, Kings of *Great Britain*, such and the like Jurisdictions, Regalities, Powers, Preheminences, Liberties, Exemptions, Franchises and Privileges, and such or the like Forfeitures, &c. within the said Counties of *Flint, &c.* as his Royal Ancestor King *James I.* did grant to Prince *Henry*, his first begotten Son, or to Prince *Charles*, his second Son, within the Possessions to them granted, or such of the Jurisdictions, &c. as his Majesty shall think fit to grant.

XIV. *Señ. 4.* All the Powers, Directions and Clauses to be contained in his Majesty's Letters Patent, &c. for the better granting and assuring of the said Honours, &c. and such Jurisdictions, &c. are hereby enacted to be good in Law, notwithstanding the Restrictions, &c. prescribed by the said former Acts, or any Mis-recital, Non-recital, Omission, or other Defect in the said Letters Patent, &c.

XV. *Señ. 5.* Provided, That nothing in this Act, or in any Grant to be made to the said Prince in Pursuance thereof, shall extend to avoid or any Way affect any Grant, Lease, Exchange, Alienation, Office or Incumbrance, heretofore made or granted, of, or concerning any of the said Premises; but

the same shall, during the Continuance of any such Grant, &c. remain in such Force as if this Act had not been made.

XVI. *Sett.* 6. After such Grant shall be made to the said Prince, &c. it shall be lawful for his Royal Highness to make Leases, Demises or Grants of the Premises:—Provided, That such Leases, &c. be made for some Term not exceeding thirty-one Years, or one, two or three Lives, or for some Term of Years determinable upon one, two or three Lives; and that such Lease, &c. be made to commence from the Date thereof: And if such Lease, &c. be made to take Effect in Reversion, then the same, together with the Estate in Possession of the Premises therein contain'd, do not exceed three Lives or thirty one Years, and so as such Lease, &c. be so made, that the Tenant be punishable for Waste, and so as there be reserved the ancient or most usual Rent, or more, or such as hath been reserved for the greater Part of twenty Years before the making such Lease, &c.

XVII. *Sett.* 7. Saving to all Persons, &c. (other than our Sovereign Lord the King) all Rights, Titles, Estates, Offices, Customs, Interests, Tenures, Claims and Demands whatsoever, of, into, or concerning the said Honours, &c. as they ought to have before the Making of this Act, as fully as if it had never been made.

XVIII. *Stat.* 1 G. c. 51. *Sett.* 1. Enacted, That the Clause in the Act 12 & 13 W. 3. *For the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, which enacted, That no Person who should come to the Possession of the Crown, should go out of the Dominions of England, Scotland or Ireland, without Consent of Parliament, and the Restriction by the said Clause meant or intended, are and shall be repealed, and shall for ever be, and be deemed and taken to be, void and of none Effect.

XIX. 1. *Stat.* 4 G. c. 2. *Sett.* 1. Enacted, That his Majesty is and shall be capable of being and continuing Governor of the South-Sea Company for such Time or Times as are prescribed by the Charter granted to the said Company for the Continuance of any Governor therein.

XX. *Sett.* 2. The Oaths prescribed by the said Charter, or by any Law now in Force, and all other Acts necessary to qualify a Subject of this Realm to be Governor of the said Company, cannot and shall not be administered to his Majesty, or be necessary for his Majesty's Qualification in Respect of the said Government, (his Majesty's Share in the Capital Stock only excepted). And in all Cases where any Vote is to be given, or any Act to be done by him as Governor, his Majesty

may, if he thinks fit, by any Warrant under his Royal Sign Manual appoint the Sub-Governor or Deputy Governor to vote or act for him, or on his Behalf.

Leather.

I. Stat. 3 G. 2. 4. Sect. 12. Enacted, That all Sheep-Skins and Lamb-Skins tawed and dressed, or made into Leather, in Allom and Salt, or Meal, or that shall hereafter be so made into Leather, shall pay only five Farthings for every Pound-Weight *Averdupoize*, and so proportionably for a greater or lesser Quantity, although they may have been, or shall be dipped or steeped in the Tanner's Wooze, made of Bark of Trees or Shomack, before such Tawing or Dressing as aforesaid.

II. Stat. 5 G. 2. Sect. 9. The Commissioners for the Duties on Leather, in *England, Wales, Berwick and Scotland*, are hereby impower'd, as often as they shall see Occasion, to direct and procure new Stamps or Seals to be made for the Marking and Stamping of all such Hides and Skins, and Pieces of Hides and Skins, and Vellom and Parchment, as shall be tanned, tawed, dressed, or made in *England or Scotland, &c.* instead of such other Stamps or Seals, as before appointing such new ones, shall have been used; and such new Stamps and Seals shall, from the respective Times when they shall be so ordered to be used, be the legal and authentick Stamps to be made use of: And the Counterfeiting or Forging any Stamp or Seal, to resemble such as shall be order'd in Pursuance of this Act; and the Counterfeiting or resembling of the Impression of any such Stamp or Seal, on any Hide, &c. whereby to defraud his Majesty of the Duties; or the uttering or selling of any Hide, &c. with such counterfeit Mark or Impression thereon, knowing it to be counterfeited, shall render the Offender liable to the like Penalties and Pains of Death, as are expressed in the Act 9 A. 2. 11.

III. Sect. 10. After the 10th of *January, 1718*, all Tanners, Tawers, and Dressers of Hides, &c. and all Makers of Vellom and Parchment, shall keep all such Hides, &c. which have been duly stamped by the Officers for the said Duties, and also all such Hides, &c. as shall have been last stamped, separate and apart from all other Hides, &c. which shall have been stamped before, during the following Times, *viz.* within the Bills of Mortality, by the Space of twenty-four Hours, and in other

other Places, by the Space of two Days, next after such Stamping thereof; unless the same shall sooner have been weighed and taken Account of by the Surveyors or Supervisors for the said Duties, on Pain to forfeit 10 *l.* for every Offence.

Linen Cloth.

I. Stat. 1 G. c. 26. So much of the Act 3 & 4 A. c. 8. (which see in Vol. 4. tit. Trade) as relates to the Liberty of exporting Irish Linen to the *West-Indies*, shall continue in full Force for the Term of one Year, and from thence to the End of the next Session of Parliament.

II. Stat. 3 G. c. 7. Sect. 39. After the 1st of August, 1717, it shall be lawful for any Person to export to Parts beyond the Seas, all Sorts of Linen Cloth, of the Manufacture of this Kingdom, which shall be made of Flax or Hemp, whether fine or coarse, free from all Duties to the King, his Heirs and Successors: Any Thing in the Act of Tonnage and Poundage, made 12 C. 2. or in any other Act, to the contrary notwithstanding.

III. Stat. 3 G. c. 21. Sect. 1. The Act 3 & 4 A. c. 8. to permit the Exportation of Irish Linen Cloth to the Plantations, &c. (which was continued by 1 G. c. 26.) so far as the same relates to the Exportation of Irish Linen Cloths to the British Plantations, shall continue in Force so long as the Merchants, &c. of Great Britain, are permitted to import into Ireland, free of all Duties, all such white and brown British Linen Cloth as shall be made in Great Britain.

IV. Sect. 2. All Linens made in Ireland, and imported into this Kingdom, may, after the 24th of June, 1717, be shipped off again, and exported for any of his Majesty's Plantations in America, without paying any Duty whatsoever.

Linseed.

I. Stat. 3 G. c. 7. Sect. 38. After the 1st of August, 1717, it shall be lawful for all Persons to import Linseed into this Kingdom, without paying any Custom or Duty for the same: Any Thing in the Act of Tonnage and Poundage, made 12 C. 2. or in any other Act to the contrary notwithstanding.

Lotteries.

I. Stat. 1 G. Stat. 1. c. 2. *Part inde. Sect. 2.* After reciting the Lottery Act, (12 A. Sect. 2. c. 9.) for the Year 1714, it is enacted, That yearly, during the Term of thirty-two Years, (the first Year to commence from *Michaelmas*, 1714.) the Sum of 116,573 *l.* 12 *s.* (in Lieu of the yearly Fund of 105,000 *l.* in the said Act of 12 A. mentioned) to arise by the additional Duties on Sope, Paper, &c. by that Act granted, shall be computed to be the yearly Fund: And if all the Monies arising into the Exchequer for the said Duties and Sums of Money so granted shall not amount to 116,573 *l.* 12 *s.* *per Annum*, then the Monies so arising, so far as they will extend, shall be part of the same yearly Fund, towards paying off the Principal Sums mentioned in the said Act, amounting to 1,876,400 *l.* with Interest for the same after the Rates following, *viz.* four Pounds *per Cent.* for so much thereof as shall be contained in the fortunate Tickets, and five Pounds *per Cent.* for so much as shall be contained in the blank Tickets, to be drawn pursuant to that and this present Act, till Satisfaction thereof respectively; yet so as the Interest of the Principal Sums shall cease from the Time of paying off the same: And if the said Duties, &c. by the said recited Act granted, shall appear to be so deficient, as that within any one Year, to be reckoned as aforesaid, the Monies arising on Account of the said Duties, shall not amount to 116,573 *l.* 12 *s.* Then so much as shall be wanting to make up the said Fund for any such Year, shall be made good out of the publick unappropriated Monies, which shall be brought into the Exchequer; which said Monies are hereby appropriated for the making good every such Deficiency, till the same shall be fully satisfy'd; and the Treasury are hereby required to make up such Deficiency accordingly, without any farther Warrant for the same; and such publick Money shall not be issued to any other Use till the said Deficiency for every such Year shall be so satisfy'd: And in Default of such publick Monies to make good such Deficiencies as aforesaid, within six Months after the same shall happen; it is hereby declared, That so much as shall be wanting to make up the said Fund of 116,573 *l.* 12 *s.* for any such Year, shall be made good out of the first Aid afterwards granted in Parliament.

II. Sect. 3. Any Persons may contribute towards advancing so much as (together with the 507,440 *l.* already contributed) will complete the said Sum of 1,400,000 *l.* intended by the said former Act, by paying by the respective Times by this Act limited in that Behalf to any Receiver to be appointed for that

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that Purpose, the Sum of 10 *l.* or divers Sums of 10 *l.* and for every such Sum of 10 *l.* the Contributors, their Executors, &c. shall be entitled to have, by Vertue of this and the said recited Act, such Principal Money and Interest, out of the said Fund of 116,573 *l.* 12 *s.* *per Annum*, as are herein before prescribed: And the said Sums of 10 *l.* each, so to be contributed on this Act, are to be paid to such Receivers at the Times and in the Proportions following, *viz.* one Moiety thereof on or before the 10th of September, 1714, one fourth Part on or before the 11th of October, and the remaining fourth Part on or before the 11th of November in the same Year: And every Contributor shall be allowed so much as the Interest of the Monies by him contributed, for all or any the said Payments, shall amount to, after the Rate of 6 *l.* *p. r. Cent. per Annum*, from the respective Days of Payment to the said 29th of September, 1714.

III. *Seff.* 4. The Tickets for the Monies contributed on this and the said recited Act, shall be made forth and drawn; and the Lots and Courses of Payment be determined, and all Matters concerning the same perform'd, in the Manner prescribed by the said recited Act, in Relation to the Contributions thereon, and the Tickets for the same, as if the said whole Sum of 1,400,000 *l.* had been wholly and timely advanced on the said Act: (Such Matters, touching which any other Provision is made by this Act, only and always excepted and fore-prized.)

IV. *Seff.* 5. The Principal Sums which upon drawing the said Lottery shall belong to the Fortunate and Unfortunate Tickets shall be paid off in Course, and the Interest for the same half-yearly, at *Lady-day* and *Michaelmas*, by equal Portions, or within twenty Days after every such Feast-Day, till the Principal shall be discharged or Money reserved for the Payment thereof: And all the Powers, &c. Penalties, &c. Exemptions from Taxes, &c. and all other Clauses, &c. in the said recited Act contained, for or concerning the said Lottery, or the Fund thereof, or any Contributions, Receipts, Tickets, Orders, Payments, or other Matters relating thereto, shall be practised and put in Execution in Reference to the Lottery prescribed by this and the said recited Act, and to the Fund hereby established, and to all the Contributions, Receipts, &c. and other Matters, by this and the said Act prescribed or intended, (except before excepted) as fully and effectually, as if all the said Powers, &c. were repeated and re-enacted in the Body of this Act.

V. *Stat.* 1 *G. c. 2. Pars inde.* *Seff.* 9. Several Exchequer-Bills and Lottery-Tickets, which were made forth in Pursuance of several Acts of Parliament in that Behalf, and still remain unpaid, having by Casualty or Mischance been lost, burnt.

burnt, or otherwise destroy'd: Therefore enacted, That if it shall appear on Affidavit before any of the Barons of the Exchequer, that any such Bills or Tickets have, before the 27th of May, 1715, been lost, &c. the Officers appointed to make forth such Bills or Tickets, or to pay the same, on producing a Certificate from any of the said Barons of such Affidavit (which Affidavit any of the said Barons is authorized to take, and requir'd to grant such Certificate without Fee) and on Security given to such Officers to indemnify them, shall make forth Duplicates of the said Bills and Tickets, and pay and discharge the same, as they should have paid the original Bills and Tickets; and if there be no such Officer, then the Treasury, on such Affidavit and Certificate as aforesaid, shall order such Duplicates to be made forth without Fee.

VI. *Seß. 10.* The Commissioners appointed to take in Lottery-Tickets, may adjust the Properties of any Tickets not yet settled in the several Lotteries established by Parliament, or by Letters Patents grounded on the Act of 12 A. 2. 9. the Persons possessed thereof, or their Agents, appearing before them by the 24th of December, 1715; and are to certify not only the Properties of such Tickets, but also all other Tickets, the Properties whereof have been before adjusted, but not certified as the respective Acts or Letters Patent directed; which Tickets shall be entitled to the Benefits attending them, as if the Properties thereof had been certify'd in the Manner and within the Times limited by the said Acts or Letters Patent.

VII. *Seß. 11.* Many of the standing Orders made forth for the Classis Lottery, or two Million Adventure for the Year, 1711, being defaced or otherwise defective, any three of the Commissioners of the Treasury, &c. may direct the Controller of the Payments on the said Orders, or such other Person as they shall appoint, to take in all such Orders, as on Examination to be allowed by the said Commissioners, &c. before the 29th of September, 1715, shall appear to be so defaced, and to cancel the same; and make forth new Orders of the same Tenor, to be signed by the said Commissioners, &c. and deliver the same to the Owners; making such Memorandums on the said new Orders, as may denote their being made out in Lieu of such defaced and defective Orders cancelled, and as may secure to the Assignee upon any of the said cancelled Orders, their Property to the new Orders, and as may secure the Publick against any double Payment by Reason of the making out such new Orders.

VIII. *Seß. 12.* Such new Orders shall be as good and valid to the original Proprietors thereof, or to any Person deriving a Title thereto by Assignment, or otherwise from them, as if the defaced

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defaced Orders had not been cancelled, nor happen'd to be so defaced.

IX. Stat. 1 G. c. 36. By the 10th and 11th Sections of this Act, the Time for adjusting Claims to Exchequer-Bills and Lottery-Tickets, as also to Annuity-Orders, is enlarged, as before, to the 25th of December, 1716.

X. Stat. 12. The Treasury may cause the Rewards and incidental Expences, necessarily attending the Execution of the Act 8 A. c. 4. (being the Lottery-Act for the Year 1710) to be paid out of the Monies arising by the Duties thereby granted, and cause such Payments to be allowed in the Accounts of the Paymaster of the said Lottery.

XI. Stat. 3 G. c. 4. By the 14th and 15th Sections of this Statute the Time for adjusting Claims to Lottery-Tickets, &c. is farther enlarged to Christmas, 1717.

XII. Stat. 4 G. c. 3. Sect. 13. The like Clause for making forth Duplicates, &c. for Lottery-Tickets, &c. lost, &c. before the 27th of May, 1718: And in all Cases where the Signing of the Commissioners of the Treasury, &c. is necessary for making the said Duplicates, the said Commissioners, &c. shall sign such Duplicates accordingly.

XIII. Stat. 5 G. c. 3. The Preamble recites three Acts of the third Year of his Majesty's Reign, viz. 3 G. c. 8. For redeeming several Funds of the Governor and Company of the Bank of England, and for securing to them several new Funds and Allowances redeemable by Parliament, &c. (which see in Bank of England) the Act 3 G. c. 9. for redeeming the yearly Fund of the South Sea Company, being after the Rate of 6l. per Cent. and settling on the said Company a yearly Fund after the Rate of 5 l. per Cent. (which see in South-Sea Company) and the Act 3 G. c. 6. for redeeming the Duties which were settled to pay off Principal and Interest on the Orders made forth in four Lottery-Acts passed in the 9th and 10th Years of her late Majesty's Reign; and for redeeming certain Annuities payable on Orders out of the Hereditary Exchequer, &c. (which see in Annuities) Reciting also, That the Sum of 2,500,000 l. was not advanced by the Bank of England, nor the aggregate Fund charged with an Annuity in Respect of the same; nor the Sum of 2,000,000 l. advanced by the South-Sea Company: Reciting farther, That the Commons of England did, on the 10th of March, 1717, resolve, That they would at Lady-day, 1719, redeem the Annuity of 76,830 l. 15 s. for exchanging Exchequer-Bills, which was accordingly signify'd by the Speaker: And therefore, That the Subjects may

may be eased of the said national Debts and Incumbrances as fast as it is consistent with Honour and Justice, Be it enacted,

Seff. 1. That the Sum of 196,444 *l.* 18 *s.* 3 *d.* ob. which remain'd in the Exchequer at *Michaelmas*, 1718, for the overplus Money of the aggregate Fund, and all the overplus Monies of the Civil List Fund for three Years ended at *Michaelmas*, 1718; and the Sum of 19,577 *l.* 10 *s.* which remained in the Exchequer at *Michaelmas*, 1718, for the overplus Money of the *South-Sea* Fund; and the Sum of 190,436 *l.* 15 *s.* 11 *d.* and nine twentieth Parts of a Penny, being the Surplus for the Year ended at *Michaelmas*, 1718, upon the yearly Fund of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny, commonly called the general Fund, all which Surplusses were by the said Acts appointed to be reserved for the Disposition of Parliament, (over and above the Sum of 130,000 *l.* which is hereafter by this Act directed to be reserved for making good the half-yearly Payments on the Annuities charged on the general Fund for the Half-year ending at *Christmas*, 1718.) and all the overplus Monies, which within and for the Half-year to end at *Lady-day*, 1719, shall arise of the said several Funds, which by the said Acts of the third Year of his Majesty's Reign, were reserved for Disposition of Parliament, shall be applied towards redeeming the Annuity of 76,830 *l.* 15 *s.* *per Annum*, (to which the Bank of *England* are entitled by Verue of the said recited Act of 3 *G. c.* 8.) and for discharging the Principal and Interest due to the said Bank for circulating Exchequer-Bills.

XIV. Seff. 2. So much Money as shall be sufficient to discharge the half-yearly Payments on the Annuities charged on the General Fund, due at *Christmas*, 1718, shall be issued at the Exchequer to the Cashier of the Bank, out of the Produce of the General Fund, and out of the Sum of 130,000 *l.* by this Act reserved for that Purpose, and shall be applied by him accordingly; and so much of the said Sum as shall remain, shall be reckoned Part of the said General Fund, and be comprehended in the next Account to be made of the same.

XV. Seff. 3. So much of the said General Fund as shall be sufficient to satisfy the last mentioned Annuities for one Quarter of a Year, to end at *Lady-day*, 1719, shall be then issued to the said Cashier for that Purpose; and shall be applied by him for the Payment of those Annuities for that Quarter, within six Days after his receiving the same; and from and after the said *Lady-day*, those Annuities shall be paid half-yearly, *viz.* at *Michaelmas* and *Lady-day*, by equal Portions, or within six Days after, for ever, or till the Redemption thereof by Parliament; and so much of the said General yearly Fund as shall be sufficient to satisfy the Sums to grow due on the said Annuities half-yearly, shall be issued at the Exchequer to the said Cashier, for Payment of the same.

XVI. *Señ. 4.* The Treasury shall at *Lady-day*, 1719, or within six Days after, cause all the overplus Monies for the same Half-year, to be computed and applied according to this Act.

XVII. *Señ. 5.* After *Lady day*, 1719, yearly, the Sum of 20,000 *l.* out of the aggregate Fund, shall be the Fund for answering all the Annuities of 4 *l. per Cent. per Annum*, to the Contributors in the Lottery herein mentioned till Redemption by Parliament: And the said yearly Sum of 20,000 *l.* shall be paid half-yearly at *Michaelmas* and *Lady-day*, at the Exchequer, to the chief Cashier of the Bank: The first Payment to be made at *Michaelmas*, 1719; and the Treasury are to cause the said Sum, or so much thereof as shall be sufficient, to be imprested and paid to the said Cashier accordingly, without any farther Warrant for the same.

XVIII. *Señ. 6.* Any Persons, Natives or Foreigners, Bodies Corporate, &c. may contribute towards raising the Sum of 595,995 *l.* That is to say, 500,000 *l.* towards discharging Exchequer-Bills, and 95,995 *l.* for defraying the Charges of executing this Act in Relation to the Lottery, by paying, (by the respective Times thereby limited) to any Receiver to be appointed for that Purpose, the Sum of 3 *l.* or divers entire Sums of 3 *l.* and for every Sum of 3 *l.* so advanced, they shall be entitled to an Annuity after the Rate of 4 *l. per Cent. per Annum*, and shall be interested in a Lot or Share in the said yearly Fund: One third Part of which Money shall be paid to the Receivers on or before the 2d of *March*, 1718, and the Remainder by the 20th of *March*, 1718.

XIX. *Señ. 7.* Such Persons as the Treasury shall appoint shall be the Managers for preparing and delivering of Tickets, and to oversee the Drawing of Lots, and to order and do such other Matters and Things as are by this Act directed; and they shall meet together at some publick Office, and shall cause Books to be prepared, in which every Leaf shall be divided into three Columns; and on the innermost Columns shall be printed 168,665 Tickets, number'd 1, 2, 3, and so on in arithmetical Progression; and on the middle Column shall be printed the same Number of Tickets, of the same Length, Breadth, and Form, and number'd in like Manner; and in the extremest Columns shall be printed a third Rank of Tickets of the same Numbers with those in the other two Columns; which Tickets shall be of an oblong Figure, and join'd with oblique Lines, Flourishes and Devices, in such Manner as the said Managers shall think most safe and convenient; and every Ticket in the extreme Columns shall have written or printed on them, (beside the Number) Words, to this Effect:

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' This Ticket, in Case it be drawn against a Prize, entitles the Bearer to an Annuity, after the Rate of 4 *l.* per Cent. for the Prize so drawn, until Redemption of such Annuity by Parliament.'

XX. *Stat.* 8. The Treasury may constitute so many Persons as they shall think fit, to be the Receivers of the Money to be contributed, taking Security of them for the due paying of the Monies they shall severally receive, for his Majesty's Use into the Exchequer, and for the due Performance of the Trusts in them reposed. And the said Managers shall carefully examine all the said Books, and that the same be contrived and numbered according to the Intent of this Act; and shall deliver them to the Receivers, taking a Receipt for the same, that the Receivers may be charged to answer 3 *l.* for every of the Tickets. And every such Receiver, on receiving an entire Sum of 3 *l.* from a Contributor, is to cut out of the said Books thorow the said oblique Lines, &c. indent-wise, a Ticket in the extreme Columns, which the said Receiver shall sign with his Name; and shall permit the Contributor to write his Name on the two corresponding Tickets, if he desire so to do; and the Receiver shall deliver to the said Contributor the Ticket so cut off, which such Contributor is to keep, for ascertaining the Annuity, in case the same happen to be a fortunate Ticket.

XXI. *Stat.* 9. The Receivers shall, by the 23d of March, 1718, redeliver to the Managers all the Books, with the Tickets of the first and second Columns, and so many of the Tickets of the extreme Columns as shall not have been delivered to Contributors; and an Account of the Monies received and paid into the Exchequer; and the Managers shall deliver the outermost Column Tickets not disposed of into the Exchequer to be cancelled; and shall cause all the middle Column Tickets to be rolled up, and made fast with Thread or Silk, and put into a Box to be marked with the Letter, (A) which is to be put into another strong Box, locked up with seven different Locks and Keys, to be kept by the Managers, and sealed with their Seals till the Drawing; and the Tickets in the innermost Columns shall remain in the Books, for discovering Mistakes or Frauds.

XXII. *Stat.* 10. The Managers are also to prepare other Books distinguished into two Columns, on the Innermost of which Columns there shall be printed 168,665 Tickets, and on the outermost the like Number of equal Length and Breadth; which Columns shall be joined with some Flourish or Device, thorow which the outermost may be cut off indentwise; and 28,109 shall be the fortunate Tickets, viz. one of 20,000 *l.* Principal Money, two of 10,000 *l.* four of 5000 *l.* thirty of 1000 *l.* forty

venty of 500 l. four hundred and four of 100 l. eight hundred of 50 l. one thousand four hundred and eight of 25 l. and twenty-five thousand three hundred and ninety of 10 l. Principal Money, which makes the Benefits, together with 500 l. allowed to the Owner of the first drawn Ticket, and 5000 l. to the Owner of the last drawn Ticket, besides the Benefits which may happen to the two Tickets last mentioned, amount in the Whole to 500,000 l. being the total Principal to be repaid. And the outermost Columns of these Books shall, in the Presence of the major Part of the said Managers, and of such of the Adventurers as will be then there, rolled up and fastened with Thread or Silk, and cut out indentwise through the said Flourish into another Box, to be marked B, which Box shall presently be put into another strong Box, to be locked up with seven different Locks and Keys, to be kept by as many of the Managers, and sealed up with their Seals till the Time of Drawing: And no Money shall be received for the first Payment after the second of March, 1718. And the whole Business of Rolling up, &c. the said Tickets, shall be performed by the 14th of September, 1719. And publick Notice shall be given in Print of the Time of cutting the Tickets into the Boxes, that such Adventurers as would see the same done, may be present at the doing thereof.

XXIII. *Stat. 11.* On or before the 24th of September, 1719, the Boxes shall be brought to *Guild-hall* by nine in the Forenoon, and placed on a Table there; and some indifferent Person to be appointed by the Managers, shall draw one Ticket from that Box where the number'd Tickets are put; and one other such Person shall draw one Ticket from the Box where the Fortunate and Blank Lots are promiscuously put, and both Tickets shall be opened and named aloud; and if the Ticket be a Blank, then it shall together with the number'd Ticket drawn with it, be put upon one File; but if it be one of the fortunate Tickets, then the Principal Sum shall be enter'd by a Clerk in a Book, and two of the Managers shall set their Names as Witnesses to such Entry, and the said Fortunate and number'd Ticket so drawn together, shall be put upon another File; and so the Drawing shall continue, until the whole Number of 28109 fortunate Tickets, and one more for the last, be compleatly drawn: And if the same can not be performed in one Day, then the Managers shall cause the Boxes to be locked up and sealed as aforesaid, and adjourn till next Day, and so from Day to Day, except Sundays and Fast-Days, till the whole Number of Fortunate Tickets shall be compleatly drawn as aforesaid; and afterwards the number'd Tickets, with the Fortunate Lots drawn against them, shall remain in a strong Box in Custody of the Managers, till they shall adjust the Property.

XXIV. *Seff. 12.* After six Days, and within thirty after the Drawing shall be finished, the Adventurers, or their Agents or Assigns, who shall be possessed of the Tickets for which Fortunate Lots shall be drawn, are to appear with their Tickets, for the Managers to write down on the said Tickets the Names of such Persons as are Owners thereof, and also the Principal Sum to which each Ticket is intitled, in Words at Length; And the said Annuities, after the Rate of *4 l. per Cent. per Annum*, for the several Principal Sums so written on the said Fortunate Tickets, shall severally belong, and be adjudged to belong to such Persons as shall so appear with the number'd Tickets to the said Managers, or to such whose Names shall be endorsed on any such Tickets, in Case they be brought to the Managers by other Hands.

XXV. *Seff. 13.* As soon as the Drawing is over, the Managers shall cause the Numbers of each Fortunate Ticket to be printed, and the Principal Sum written on the same; and if any Dispute arise in adjusting the Property, the Managers shall determine it. And if any Person shall counterfeit, or alter the Number of any such Ticket, or bring any counterfeit Ticket, or any Ticket whereof the Number is alter'd, (knowing the same to be such) to the Managers, such Person shall be adjudged a Felon, and suffer Death as such, without Benefit of Clergy: And any two, or more, of the Managers are empower'd to commit such Persons to *Newgate*.

XXVI. *Seff. 14.* The Managers shall cause to be enter'd in a Parchment Book, the Names and Places of Abode of the Persons entitl'd to Benefits, and the Annuities by this Act payable for the same; and of the Persons whose Tickets were first and last drawn, with the Annuities in Respect thereof payable to those two Persons: And the Book shall be signed by the Managers, or major Part, and transmitted into the Office of the Auditor of the Exchequer, as soon as conveniently may be, there to remain for the Future; and the Managers shall cause one Duplicate of the said Book, (attested as aforesaid) to be delivered to the chief Cashier of the Bank: And the Accountant-General of the said Bank shall deliver *gratis* to every Proprietor of the said Annuities, comprehended in the said Book and Duplicate, or to his Assigns, a Certificate of his Annuity, so as his fortunate Ticket specify'd therein, be at the same Time delivered up to the said Accountant-General, to be cancelled: Nevertheless such cancelled Tickets shall be preserved by the said Accountant on a File for that purpose.

XXVII. *Seff. 15.* The Persons named in that Book, their Executors, &c. shall enjoy an Annuity of *4 l. per Cent.* for the Principal Sums set against their Names in the said Book and Duplicate, till Redemption thereof, out of the yearly Fund established and appropriated by this Act for that Purpose: Which

Which Annuities shall be paid half-yearly at the Feast-Days above-mentioned, or within six Days after; the first Payment to be made at Michaelmas, 1719. And the said yearly Sum of 20,000 l. shall be apply'd thereto, and not divertible to any other Purpose.

XXVIII. *Sett.* 16. Every Manager, before his acting in such Trust, shall take the following Oath, viz.

I A. B. do swear, That I will faithfully execute the Trust reposed in me, and that I will not use any indirect Art or Means to obtain a Prize or Fortunate Lot for my Self, or any other Person whatsoever: And that I will do my utmost Endeavour to prevent any undue or sinister Practice to be done by any Person whatsoever: And that I will to the best of my Judgment, declare to whom any Prize, Lot or Ticket, of Right does belong, according to the true Intent of the Act in that Behalf.

Which Oath may be administer'd by any Two of the Managers.

XXIX. *Sett.* 17. The Receivers may take in Money from the Contributors before they have received the Books from the Managers, and shall be obliged to give the Bearer of every such Note, a Ticket for every three Pounds so paid, as soon as they shall be enabled thereunto by Delivery of any Books from the Managers.

XXX. *Sett.* 18. If any Contributor shall, before the second of March, 1718, have advanced one Third, or more, of his Purchase-Money, and do not advance the remaining two Thirds by the 20th of March, 1718, he shall forfeit, for the Use of the Publick, the first third Part of his Purchase-Money; and no Ticket shall be delivered out to such Contributor; but shall be delivered into the Exchequer to be cancelled.

XXXI. *Sett.* 19. The Treasury may reward the Managers, their Clerks and Officers, for their Pains; and to discharge incident Expences, so as the whole exceed not 5995 l.

XXXII. *Sett.* 20. Any Guardian or Trustee may contribute for an Infant; and such Infant shall become a Contributor within the Meaning of this Act; and such Guardian or Trustee is discharged as to the Sum so advanced, so as the Name of such Infant be expressed in the Receipt for such Money, and also on the Ticket to be delivered out for the same.

XXXIII. *Sett.* 21. The said Lottery Annuities shall be free from all Taxes.

XXXIV. *Sett.* 22. All the particular Duties on Houses, and all the other Rates, Duties, &c. which by the first recited Act of the third of the King, were settled for answering the Payments therein mentioned, (all which are by this Act denominated to be the aggregate Fund, as aforesaid) shall be con-

tinned for ever; nevertheless all the Monies arising thereby, after *Lady-Day*, 1719, shall be disposable to the Uses by this or the said recited A^t appointed, and subject to the Provisoets of Redemption herein contained.

XXXV. *Sett.* 23. All the Monies so required to be brought into the Exchequer as aforesaid, shall be enter'd in a Book or Books to be kept by the Auditor of the Receipt and Clerk of the Pells, to which all Persons may have free Access without Fee.

XXXVI. *Sett.* 24. All the Monies of the said aggregate Fund (except the Charges for raising, &c.) are appropriated for the Payment of such yearly and other Sums, as are hereafter by this A^t appointed, in such Order and Course, and with such Preference as this A^t directs: All which yearly and other Sums shall be paid without Fee: And if any Officer of the Exchequer shall misapply any of the Monies contrary to the Purport of this A^t, or shall not perform all other Things which by this A^t are required, he shall forfeit his Office, and be render'd incapable to serve his Majesty, &c. and be liable to pay double the Value of any Sum delay'd, diverted or misapply'd, with full Costs of Suit to the Party grieved, to be recovered in any of the Courts at *Westminster*, wherein no E^ssoin, &c. nor more than one Imparlance, shall be allowed.

XXXVII. *Sett.* 25. All the Monies of the said aggregate Fund shall be apply'd in the Manner following, *viz.* In the first Place to pay off so much as at *Lady-Day*, 1719, shall be in Arrear to the *Bank of England*, on their Annuity of 76,830*l.* 15*s.* (which is from thenceforth to cease) and so much as at the same Feast shall be in arrear to them on their Annuity of 88,751*l.* 7*s.* 10*d.* 0*b.* in respect of the principal Sum of 775,027*l.* 17*s.* 10*d.* 0*b.* in the first recited A^t mentioned; and so much as at the same Feast shall be in arrear to them on their Annuity of 100,000*l.* in Respect of the Sum of 2,000,000*l.* in the said A^t likewise mentioned; and after paying the said Annuities, then for discharging so much as after the said Feast-Day shall be grown due on the said Annuities of 88,751*l.* 7*s.* 10*d.* 0*b.* and 100,000*l.* to the *Bank*, or their Cashier, for their Use, weekly, or as soon as the same can be satisfied out of the said aggregate Fund; so as by such weekly or other Payments, the Whole of the same Annuities to be paid to the *Bank* at the End of each Quarter, be not exceeded; and so that on every of the quarterly Days, the Whole due thereon be compleated: And after the said Payments to the *Bank*, as aforesaid, then to pay the yearly Fund of 20,000*l.* for answering the said Lottery-Annuities, by half yearly Payments, and such Money as shall be demanded for Interest on all or any the said Exchequer-Bills.

XXXVIII.

XXXVIII. *Sett.* 26. After satisfying the said several Annuities payable to the Bank, the said 20,000 *l. per Annum*, and the said Demands of Interest on Exchequer-Bills, then the yearly Sum of 120,000 *l.* in the first recited Act mentioned, for the Service of his Majesty's Household and Family, shall be paid to his Majesty during his Life, out of the Monies by this Act appropriated, for the Uses before-mentioned. And the Treasury are required to cause the said yearly Sum of 120,000 *l.* to be issued and apply'd weekly, or as soon as the same can be satisfy'd, out of the Monies to arise as aforesaid; so as the Sum of 30,000 *l.* at the End of each Quarter be not exceeded, and so that upon every quarterly Feast-Day, the Whole due thereon be compleated.

XXXIX. *Sett.* 27. After paying the said several Annuities, &c. then the Sum of 54,600 *l. per Annum*, for Payment of the perpetual Annuities formerly purchased, at 5 *l. per Cent. per Annum*, and all Arrears thereof, shall, without any Deduction, be kept apart in the Exchequer, out of the Monies by this Act appropriated for the Uses aforesaid, and shall be applied to the true Intent of such Acts as were passed in that Behalf, but subject to Redemption, as thereby prescribed.

XL. *Sett.* 28. The Arrearages grown due on the said several Annuities of 76,830 *l.* 15 *s.* 88,751 *l.* 7 *s.* 10 *d.* 06. and 100,000 *l.* before Lady-day, 1719, and the growing Payments from thenceforth due on the same, and upon the said particular Fund of 20,000 *l.* and the Monies necessary to answer the Interest due on the said Exchequer-Bills, standing out and undischarged, shall take Place in Point of Payment before the said yearly Sum of 120,000 *l.* and that before the said yearly Sum of 54,600 *l.* and that before the applying any the said appropriated Monies for answering any of the Payments hereafter by this Act charged thereupon.

XLI. *Sett.* 29. After all the Payments made as aforesaid, then the Deficiencies on the Original Fund of 100,000 *l. per Ann.* payable to the Bank out of the five seven Parts of certain Duties of Excise, shall be satisfied out of the Monies by this Act appropriated; and then so much as shall be in arrear on the said yearly Sum of 4000 *l.* in the said first recited Act mentioned, shall, out of the said appropriated Monies, be kept apart in the Exchequer, and issued to the respective Sheriffs of England and Wales, for defraying the Charges of taking forth the Letters Patents for their Offices, and passing their Accounts, and obtaining their *Quietus's*.

XLII. *Sett.* 30. Nothing in this Act shall hinder the making good any Deficiencies on the yearly Fund of 116,573 *l.* mentioned in the Act 1 *Geor.* for redressing Mistakes in the Names of the Commissioners for the Land-Tax for the Year 1714, &c. but such

Deficiencies shall be made good out of any publick unappropriated Monies.

XLIII. *Seff.* 31. In Case the Produce of the said aggregate Fund, shall at any Time appear so deficient, that within any one Year, reckoning each Year to end at *Michaelmas*, the same shall not be sufficient to answer the Payments then due on the said yearly and other Sums before by this Act appointed to be paid out of the same, then every such Deficiency shall be made good out of the next Aids to be granted in Parliament.

XLIV. *Seff.* 32. The said several Annuities of 88,751 *l.* 7 *s.* 10 *d.* ob. and 100,000 *l.* payable to the Bank out of the said aggregate Fund, shall be redeemable, upon such Payments and in such Manner as by the said Act of 3 G. c. 8. is prescribed for the Redemption thereof.

XLV. *Seff.* 33. On six Month's Notice to be given to the Bank by Authority of Parliament, at any of the said half-yearly Feast-Days, for Payment of the said Annuities, payable out of the said 20,000 *l.* per Annum, and upon Repayment of Principal and Interest, the same Annuities shall cease and determine: And any Vote of the House of Commons, signified by their Speaker in Writing, to be delivered at the publick Office of the Bank, shall be deemed a sufficient Notice within the Meaning of this Act.

XLVI. *Seff.* 34. After Redemption of the said several Annuities of 88,751 *l.* 7 *s.* 10 *d.* ob. and 100,000 *l.* and of the said Fund of 20,000 *l.* per Annum, and full Payment of all Arrears then due on the said yearly Sums of 120,000 *l.* and 54,600 *l.* and for the Deficiencies of the said original Fund of the Bank, of 100,000 *l.* per Annum, and of the said yearly Fund of 116,573 *l.* 12 *s.* and after Repayment of the Sum of 520,000 *l.* to be borrowed on this Act, as is after mentioned, and full Satisfaction of all Interest to be due for the same; then, and not till then, the said aggregate Fund by this Act continued and established, and all the Duties and Incomes contained therein, shall be understood to be redeemed by Parliament, and shall not be issued or apply'd to any other Uses without Authority of Parliament: Except the two Thirds of the Subsidy of Tonnage and Poundage, and the Duties on Coffee, &c. and the increased Duties on Coffee, &c. and the farther Duties on all white Callicoes, &c. all which Duties so excepted, shall, after the said Redemption, be continued for answering all the Payments which shall grow due on the said yearly Sum of 120,000 *l.* for his Majesty's Household and Family, during his Life; and also for answering all the Payments to grow due on the said yearly Sum of 54,600 *l.* for Payment of Annuities, as aforesaid; and also for Payment of the said yearly Sum

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of 4000 *l.* to be issued to Sheriffs, as aforesaid; and also for answering the Deficiencies of the said original Annuity of 100,000 *l.* or of the Lottery-Annuities of 116,573 *l.* 12 *s.* And the said excepted Subsidies and Duties are appropriated and shall be applied thereto during the Continuance of the same yearly or other Sums respectively.

XLVII. *Stat. 35.* Till the said Lottery-Annuities, after the Rate of 4 *l.* per Cent. per Annum, are redeemed by Parliament, the Bank shall appoint and employ one sufficient Person in their Office in London, to be their chief Cashier, and one other such Person to be their Accountant General: And the said Cashier, to whom the Monies shall be issued for Payment of the said Annuities at 4 *l.* per Cent. shall without Delay apply and pay the same accordingly, and render his Accounts thereof according to the Course of the Exchequer: And the said Accountant General shall inspect all the Receipts and Payments of the said Cashier, and the Vouchers relating thereto, in Order to prevent Fraud or Delay. All Persons entitled to any of the same Annuities shall be possessed thereof as a personal Estate, and the same shall not be descendable to the Heir, nor liable to any foreign Attachment by the Custom of London or otherwise.

XLVIII. *Stat. 36.* All the Principal Monies of the said Annuities of 4 *l.* per Cent. per Annum, shall be deemed one Capital or Joint-Stock; and all Persons, in Proportion to their respective Annuities, shall have a Share in such Stock; all which Shares shall be assignable, &c. in the same Manner as is prescribed by any Act or Acts made: G. touching the Annuities at 5 *l.* per Cent. And no Stamp-Duties shall be chargeable on such Transfers: The Bank shall continue a Corporation till the Annuities be redeemed, and no Member thereof shall incur any Disability for doing any Thing in Pursuance of this Act.

XLIX. *Stat. 37.* No Fee or Gratuity shall be demanded or taken by the said Cashier for paying these Annuities: Nor shall any Fee, &c. be taken by any Officer for any Transfer to be made in Pursuance of this Act, on Pain of 20 *l.* to the Party grieved, to be recovered with full Costs in any of the Courts at Westminster.

L. *Stat. 38.* All the Powers, &c. contained in the first recited Act 3 G. c. 8. and not taken away or altered by this Act, shall continue and remain in Force.

LI. *Stat. 39.* The Excess or Surplus, which at the End of any Quarter, (reckoning the Quarters to end at the usual Feasts above-mentioned) shall be produced by the said aggregate Fund, and that shall remain in the Exchequer, over and above the Monies due on the said several Annuities, and other Payments, shall, together with the Surplus of other Funds

herein after mentioned, be subject to satisfy the Principal and Interest of such Loans as are hereafter in this Act authorized to be charged thereon; and the Monies to arise of the said several Surplusses, (after Satisfaction of such Loans) shall attend the Disposition of Parliament in the Manner herein after provided.

LII. *Stat. 40.* The Treasury shall, at the End of every Quarter after *Lady-day, 1719*, cause a true Account of the said Overplus Monies for the preceding Quarters respectively, to be made up and fairly entered in a Book to be kept in the Office of the Auditor of the Receipt of the Exchequer; and another Book shall be kept in the same Office, wherein shall be registered all the Orders of Loans to be made upon this Act; to which Books all Persons concerned shall have free Access without Fee.

LIII. *Stat. 41.* It shall be lawful for any Persons to advance and lend his Majesty, on Credit of the said Surplusses, to arise after *Lady-day, 1719*, any Sum, not exceeding $520,000$ l. and the Lenders shall have Interest at 5 l. per Cent. to be paid every three Months, so as such Loans be allowed to be made by the Treasury, who are to issue their Warrants for that Purpose; and no Money so lent shall be assessed to any Tax whatsoever; and every such Lender shall have a Talley of Loan struck for the Money so lent, and an Order of the same Date for Repayment thereof with such Interest as aforesaid; and all such Orders shall be registered and paid in Course, and the Monies to come in of the said several Surplusses shall be liable to satisfy the Lenders in the same Order, without undue Preference, and shall not be diverted to any other Use; and no Fee, &c. shall be demanded or taken for providing such Books, or for any Entry, View or Search for Payment of Money lent, by any Officer, or their Clerks or Deputies, on Pain of treble Damages to the Party grieved, with full Costs of Suit: And if the Officer himself take any such Fee, he shall lose his Place also: And if any undue Preference shall be made in Point of Registry or Payment, the Party offending shall be liable to pay the Value of the Debt, with treble Costs to the Party grieved, and shall be forejudged of his Office; and if such Preference be unduly made by any Deputy or Clerk, such Deputy or Clerk only shall be liable to such Action, &c. and be for ever incapable of his Place: And if the Auditor of the Receipt shall not direct, and the Clerk of the Pells record, or the Teller not make Payment according to each Persons due Order, then he or they shall forfeit, and the Deputies, &c. therein offending, shall be liable to such Action, Debt, Damages and Costs in manner aforesaid: All which said Penalties, &c. shall be recovered by Action of Debt, &c. in any of the

Courts

Courts at *Westminster*, wherein no *Essoin*, &c. or more than one *Imparance*, shall be allowed.

LIV. *Stat. 42.* Where *Talleys* and *Orders* bear Date the same Day, it shall be no undue Preference which he enters first, so as all of them be enter'd the same Day; and it shall nor be any undue Preference, if the Auditor direct, the Clerk of the *Pells* record, and the Teller pay subsequent *Orders* to Persons that demand their *Monies*, before others who bring not their *Orders* in Course, so as there be Money reserved to satisfy precedent *Orders*; but the Interest shall cease from the Time the Money is so reserved.

LV. *Stat. 43.* Every Person to whom any Money shall be due for *Loans* by Vertue of this Act, after *Orders* register'd, his *Executors*, &c. may assign his Title and Interest therein; which being enter'd in the said Registry, shall entitle such Assignee to the Benefit thereof; and such Assignee may in like Manner assign again, and so *twice* *quoties*; and it shall not afterwards be in the Power of those who have made such Assignments, to make void the same.

LVI. *Stat. 44.* All the *Monies* of the said several Funds already arisen, or which shall arise before *Lady-day*, 1719, for the said several *Surplusses*, and the said Sum of 305,995 *l.* to be raised by Way of Lottery, and the 520,000 *l.* to be borrowed by Way of Loan, shall be applied, as far as the same will extend, towards the paying off the Principal and Interest born on the said *Exchequer-Bills*; and the Treasury are to cause the same to be apply'd accordingly, and so many of the said *Bills* as shall be paid off, to be cancelled: And they are empower'd, if they see Cause, by Notice in Writing to be affixed on the *Royal Exchange*, and published in the *London Gazette*, to prefix a Day for the Bearers of the said *Bills* to bring the same to such Persons as the said Treasury shall appoint, to be exchanged for ready Money, so as such Notice be given for any Proportion of the *Bills* so standing out, to be brought in at a Time; and the *Bills* to be exchanged shall be described by their Numbers and Dates in such Notice: And all such *Bills* as shall not be brought in on such Notice, shall lose their Currency.

LVII. *Stat. 45.* If Proof be made upon Oath of one or more credible Witnesses, before a Baron of the *Exchequer*, that any of the said *Bills* were by Casualty lost, burnt or destroy'd, before the 16th of January, 1718, and if such Baron shall certify that he is satisfy'd in such Proof; in such Case the Treasury are to cause the *Monies* due on such *Bills* to be paid, as if the original *Bills* were produced: Provided the Persons so receiving the same, do give Security to his Majesty, to the good Liking of the Officer appointed to make such Payment, to repay

repay the Monies so received, in case the original Bills be hereafter produced.

LVIII. Sect. 46. After *Lady-day*, 1719, the said Annuity of 3 l. per Cent. amounting to 76,830 l. 15 s. shall cease and determine, and the aggregate Fund shall from thenceforth be wholly discharged thereof; and the Bank shall not be obliged to circulate any of the said Exchequer-Bills after the said Feast-Day; but shall be from thenceforth acquitted and discharged from their former Undertakings of the same.

LIX. Sect. 47. After the said Feast-Day all the Residue of the said Exchequer-Bills then remaining uncanceled, shall be circulated by such Persons as the Treasury shall appoint; and the said Treasury may allow to such Persons a reasonable Salary and Allowances for the Charges, Pains and Service of them, and those employ'd under them in Execution thereof: And they are likewise authorized to enter into any Contract on his Majesty's Behalf, with any Persons; of whose Abilities they shall be well satisfied, for circulating the Residue of those Bills during their Currency; and to allow such Contractors such Allowances, Premiums and Rewards, and such other Terms, Powers and Conditions for undertaking the same, as they shall find to be reasonable: And they may take Subscriptions in Writing, and give Power to such Persons as shall be constituted and trusted by them, or to such Contractors as aforesaid, to take Subscriptions from such Persons, as will upon reasonable Terms advance Money for the better circulating thereof.

LX. Sect. 48. Provided, That every such Constitution or Appointment, and every such Contract, and every Instrument of such Subscriptions, shall be in Writing, and be register'd in the Offices of the Auditor of the Receipt and Clerk of the Pells; and that all Persons concern'd may have Access thereto without Fee.

LXI. Sect. 49. Declared, That such Constitutions, Appointments, Contracts, or Subscriptions shall not be chargeable with Stamp Duties.

LXII. Sect. 50. No Person entrusted or any Ways concerned in the Circulation of the said Residue of the said Exchequer-Bills, shall, for that Cause only, be disabled from being a Member of Parliament.

LXIII. Sect. 51. All Persons who shall accept of the said Trust for Salaries, and such other Allowances as aforesaid; and all who shall enter into any such Contract as aforesaid, for circulating and exchanging the said Residue of the said Exchequer Bills, shall, during the Continuance of such Trust or Contract respectively, keep a publick Office in *London* or *Westminster*, and shall exchange for ready Money (if demanded)

ed) all such of the residuary Exchequer-Bills as shall be brought to them, by paying the Sums for which such Bills were issued, with the Interest due thereon at the Time of such Demand; and so *toties quoties* as often as such Bills shall be demanded as aforesaid: And if any Person so entrusted, or any such Contractor as aforesaid, shall refuse to exchange any such Bill for ready Money, upon such Demand, for the Space of twenty-four Hours, then the Persons demanding the same, may bring their Actions of Debt, or upon the Case, for the same, and declare, *That the Defendants are indebted to the Plaintiffs the Money demanded on such Bills, according to the Form of the Statute, and have not paid the same*; which shall be sufficient; and the Plaintiffs shall recover, not only the Money so refused to be paid, but Damages and full Costs, and the Defendants are hereby made liable thereto; and in such Action no Essoin, &c. shall be allow'd, or more than one Imparllance.

LXIV. *Stat. 52.* The Treasury shall, out of the Monies arising by the said aggregate Fund, issue to such Persons as they shall think fit to intrust in that Behalf, and on Security given to their good Liking, such Sums of Money, by Way of Imprest and on Account, as they shall think necessary for discharging the Interest due on the said Bills: And all Persons having any of the said Bills, on which six Months Interest, or more, is due and unpaid, may demand of the Persons, to whom the said Money shall be imprested as aforesaid, all the Interest due thereon; who are required to discharge the same on such Demand.

LXV. *Stat. 53.* All the said Exchequer-Bills shall be current to all the Receivers and Collectors in *Great Britain*, of the Customs, Excise, or of any Revenue, &c. granted, or hereafter to be granted, to his Majesty, &c. as also at the Exchequer from the said Receivers or Collectors, or from any other Persons whatsoever, making any Payment or Loan to his Majesty, &c. And such of the same Bills as shall be received at the Exchequer, shall be locked up as Cash: And all Receivers and Collectors are required, out of any current coined Money as shall be then in their Hands, to pay such of the said Bills as shall be brought to them by any Person designing to have Money for the same: And if any Receiver or Collector shall refuse so to do by the Space of twenty-four Hours, the Person demanding the same may bring his Action, &c. (*as above* Par. LXIII) and upon Payment of the Money so recovered, the Plaintiff shall deliver up such Bills to the Defendant.

LXVI. *Stat. 54.* As any of the said Bills shall be paid into the Exchequer, the Officers there shall cause Tallies to be levied and delivered to the Payers or Lenders, as amply and effectually as if they had made such Payments or Loans in Specie.

LXVII.

LXVII. *Stat.* 55. The Interest due on any such Bills shall be allowed to all Persons paying the same to any Receiver or Collector, or paying or lending the same into the Exchequer, to the Days whereon such Bills shall be paid.

LXVIII. *Stat.* 56. No Interest shall run on any such Bills during the Time they shall remain in the Hands of the said Receivers, Collectors, or Tellers of the Exchequer; but it shall cease for such Time, for the Benefit of the Publick.

LXIX. *Stat.* 57. The Persons who shall pay such Bills to Receivers, &c. shall put their Names on each Bill, and the Day of the Month and Year, in Words at Length, all which the Receivers, &c. shall take Care to see done: To which Day the Receivers, &c. shall be allow'd again the Interest which they have paid on such Bills, upon their paying the same into the Exchequer.

LXX. *Stat.* 58. The said Bills may be re-issued out of the Exchequer; and then the Teller from whose Office they are again paid out, shall endorse on each Bill in Words at Length the Day of the Month and Year in which the same were re-issued, and on what Account they were received into the Exchequer, and sign the same; from which Time the Interest shall revive.

LXXI. *Stat.* 59. The said Bills shall be re-issued only for the Principal Money contained therein.

LXXII. *Stat.* 60. The Officers appointed for receiving the Monies hereby appropriated for Payment of the said Interest, shall re-imburse the Tellers so much as they shall have allowed to the Payers or Lenders for Interest on the said Bills; in doing whereof they shall observe such Directions as they shall receive from the Treasury.

LXXIII. *Stat.* 61. Every Receiver-General shall keep Books of all the Monies by him received; in which he or his Deputy shall enter all the Sums by him received, with the Names of the Collectors from whom the same was received, the Days when, and the Sums paid, how much in Money, and how much in Exchequer-Bills, and what Bills have been exchanged by every such Receiver-General; to which Account all Persons concerned may have Access without Fee; and the same Account shall lie open in one certain Place within the Limits of his Receipt, and if such Receiver shall neglect to keep such Book, or to enter therein any Money by him received, by the Space of three Days after his Receipt of the same, or shall refuse any Person concerned to inspect such Book, he shall forfeit 100*l.* for every such Offence, to any Person who will sue for the same, to be recovered by Action of Debt, &c.

LXXIV. *Stat.* 62. In Case any of the said Exchequer-Bills shall be filled up by Writing or Indorsement, or by any Accident shall be defaced, the Treasury shall cause new Bills to be made

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made forth at the Exchequer in Lieu of such Bills; and such old Bills shall be cancelled, and kept at the Exchequer, and the new Bills shall have the like Currency, and carry the like Interest, &c. as the original Bills, so cancelled, had. And if any Person shall forge or counterfeit any Exchequer-Bill, or any Indorsement or Writing thereon, or demand to have such Bill exchanged for ready Money, or tender such Bill in Payment, knowing it to be forged, &c. such Offender shall be adjudged a Felon, and suffer as such, without Benefit of Clergy.

LXXV. *Stat. 63.* As often as any Interest on the said Bills shall be demanded to be paid by any the said Persons, they shall not be obliged to pay for such Interest to any lesser Sum than one Penny, in Case a single Bill be produced for Payment; or for the Total of the Interest of such Bills, where two or more shall be offered at one Time by the same Person.

LXXVI *Stat. 64.* The Treasury may cause Exchequer-Bills for any large Sum, not exceeding 5000 *l.* each, to be made forth at, and to be placed as Cash in, the Receipt of the Exchequer, in Lieu of the like Value of the Principal contained in Exchequer-Bills for lesser Sums, which at that Time shall be in the said Receipt, to be at the same Time cancelled, and kept there on a File; which new Bills for large Sums shall have the same Currency, and be subject to the same Rules, &c. as if they had been Bills originally issued.

LXXVII. *Stat. 65.* The Treasury are to pay out of the said aggregate Fund such Salaries and Allowances as they shall judge reasonable, to such Persons as shall accept the Trust of circulating the said Residuary Exchequer-Bills, for the Charges and Service of themselves, and those employ'd under them; and to the Subscribers for furnishing Money, the Interest, Rate, or Consideration-Money, which shall be agreed to be allowed to such Subscribers; and to allow to the Contractors for circulating the said Bills, the Rewards and Allowances agreed on; and also the Charges of Books, Clerkship, and other Things incident in the Execution of this Act, in Relation to the said residuary Exchequer-Bills.

LXXVIII. *Stat. 66.* All the Monies which at the End of every Quarter shall be produced for the respective Surplusses of the aggregate Fund, and the Fund of the *South-Sea* Company, and of the said Duties charged with the yearly Fund of 724,849 *l.* 6 *s.* 10 *d.* and one fifth Part of a Penny, as also the Overplus of the same general yearly Fund, shall be appropriated and reserved for discharging such national Debts as were incurred before the 25th of *December*, 1716, and provided for by Acts of Parliament, in such Manner as shall be directed by any future Acts.

LXXIX.

LXXIX. Sect. 67. If Provision shall be made by Parliament of so much Money in the lawful Coins of this Kingdom, as shall be sufficient to pay off the Principal and Interest of the said residuary Exchequer-Bills, or any Proportion thereof at a Time; and if by like Authority the said coined Monies shall be brought into the Exchequer, then the same shall be apply'd for paying off the said residuary Bills, or such Proportion thereof, so far as the same Money will extend, by paying to the Bearers of any such Bills the Principal and Interest due thereon, and by placing the said coined Money, or any Part thereof, in Lieu of any Exchequer-Bills, which shall be then in the Offices of the Tellers, to answer the Payments to which the said Bills shall then be liable; which Payments shall be made with the same Money in Specie, under such Penalties, &c. as are prescribed by former Statutes; and then the said Bills shall be cancelled, and his Majesty, &c. and the said aggregate Fund shall be discharged from the Principal Monies contained in such Bills, and from all Interest and Charges which from thenceforth might grow due on the same.

LXXX. Sect. 68. If no Part of the said Sum of 520,000*l.* shall be lent before the 1st of May, 1719, then so much of the said Excesses arising quarterly, as shall amount to the like Sum, shall be apply'd towards discharging the Principal and Interest due on the said Exchequer-Bills: And if Part of the said Sum be raised by Way of Loan on this Account, on or before the said first of May, and the Remainder be then deficient; then so much of the said Excesses as shall bear Proportion to the Principal Monies actually lent, shall be set apart quarterly for Repayment thereof, with the Interest, in such Course as is above prescribed: And the Residue of the said Excesses, arising quarterly after the Feast-Day last mentioned, shall be quarterly apply'd towards discharging and cancelling the said Exchequer-Bills, until such Time as, by such Loans and such overplus Monies, the full Sum of 520,000*l.* in Principal and Interest on such Exchequer-Bills, shall be paid off and cancelled: And the Treasury shall cause the said Excesses to be apply'd accordingly; but without prejudicing any the yearly or other Payments, before by this Act prescribed to be paid out of the several Funds above-mentioned.

LXXXI. Stat. 5 G. c. 9. Pars inde. [See the first twelve Sections of this Act in Title Churches, Par. IX. &c.] **Sect. 13.** To the End a sufficient Fund may be settled for raising the Sum of 505,995*l.* Part of the Sum of 528,320*l.* 1*s.* 9*d.* for making good the Supply granted to his Majesty in this Session, enacted, That every Year after Lady-day, 1719, for the Term of thirty-two Years, the Sum of 30,559*l.* 14*s.* per An-

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num, out of the Duties on Coals and Culm, shall be a particular Fund and Security for paying as well the Principal as the Interest of the fortunate Lots or Chances, in such Course as is hereafter prescribed in this Act.

LXXXII. *Seff. 14.* The like Clause relating to Contributors as in the last preceding Act, [which see above, *Par. XVIII.*] but the Times of Payment were to be one third Part by the 15th of April, and the other two Thirds by the 15th of May, 1719.

LXXXIII. *Seff. 15.* The Treasury to appoint Managers, who were to prepare Books with two Columns, on the Innermost of which were to be printed 168,665 Tickets, and on the Outermost another Rank of the same Numbers, &c. as in the last Act, *Par. XIX.*

LXXXIV. *Seff. 16 and 17.* The like Clauses relating to the Appointment of Receivers, the Delivering out of Tickets, &c. as in the last Act, *Par. XX, and XXI.*

LXXXV. *Seff. 18.* Reciting the last Lottery-Act, and that in Regard the Tickets prescribed by this Act consist of the same Numbers, and are to be attended with the same Chances, with those appointed by the last Act; therefore enacted, That the Chance of every Ticket, whether it be a Prize or Blank, shall be determined by the Drawing of the Tickets upon the other Lottery.

LXXXVI. *Seff. 19.* On the next Day after the general Drawing shall be ended, the Managers shall cause 169 Tickets to be prepared and number'd arithmetically, which Tickets shall denote and be the Indices of the whole Number of the said 168,665 Tickets; so that the first signify the first Thousand; the second, the second Thousand, and so on successively, till they are the Indices of 168 Thousand; and the last of the said 169 Tickets shall be the Index of the last 665 of the said 168,665 Tickets: Which said 169 Tickets the Managers shall cause to be rolled, sewed up, and put into a Box, to be marked with the Letter A: And 169 Tickets more, to be number'd, &c. as above, and put into a Box to be marked B; and the Tickets in both the Boxes shall be well mixed together; and one indifferent Person shall draw out one Ticket from Box A, and one other such Person shall draw out one from Box B; both which Tickets shall be immediately opened, and the Numbers named aloud; and the Number of the Ticket taken out of the Box B, shall denominate the Number of the Course of Payment of the original number'd Ticket, whereof the Number taken at the same Time out of the Box A, shall be the Index as aforesaid; and both the Tickets shall be put on one File, and enter'd by a Clerk, and two of the Managers shall set their Names to every such Entry, and on the Back of every such Ticket; and so the whole Drawing shall con-

continue till the whole Number be compleatly drawn; and the Principal of their fortunate Tickets shall be paid off, according as their Course shall happen to fall.

LXXXVII. *Stat.* 20. The Managers, after the Drawing is over, shall cause an exact Table of the Course of Payment to be printed.

LXXXVIII. *Stat.* 21 and 22. Fortunate Tickets to be brought to the Managers within thirty Days after drawing; the Managers to print them; and to forge or counterfeit Tickets, Felony, as in the foregoing Act, *Par.* XXIV, XXV.

LXXXIX. *Stat.* 23. The Managers to enter the fortunate Tickets in a Book, and transmit it into the Exchequer, as in the last Act, *Par.* XXVI, XXVII. But the Interest is to be paid Quarterly, and the first Payment to be made at Midsummer, 1719.

XC. *Stat.* 24. The like Clause for swearing the Managers, as in the foregoing Act, *Par.* XXVIII.

XCI. *Stat.* 25. All Receipts and Issues at the Exchequer are to be done without Fee or Reward: And if any Officer of the Exchequer, shall take or demand any such Fees, &c. or divert or misapply any of the Monies for making up the said Sum of 30,559 *l.* 14 *s.* *per Annum*, or shall pay out the same contrary to this Act, he shall forfeit his Office, and be incapable of any Place of Trust; and shall answer treble Damages and Costs of Suit to any Adventurer that will sue for the same, by Action of Debt, &c. in any of the Courts at Westminster, wherein no Essoin, &c. or more than one Imparance shall be granted; and the Plaintiff, on Recovery, shall have full Costs: One Third of the Sum recovered shall be paid into the Exchequer for the Benefit of his Majesty, and the other two Thirds shall be for the Use of the Prosecutor.

XCII. *Stat.* 26. The Money contributed shall be free from all Taxes, &c.

XCIII. *Stat.* 27. The fortunate Tickets shall be exchanged for standing Orders, to be signed by the Treasury, to be made upon Paper, Vellum or Parchment, and to be paid as is herein after mentioned, out of the Monies arising of the said yearly Sum of 30,559 *l.* 14 *s.* the Principal to be paid according to the Course of Payment in which the respective Tickets fell.

XCIV. *Stat.* 28. Such Persons as the Treasury shall appoint to take in the said Tickets and deliver out the said Orders in Lieu thereof, shall give timely Notice in the *London Gazette* for taking in the said Tickets and delivering out of the said Orders; and every Order shall be number'd in the Course, according to the Bringing in of the Tickets to the Officers so to be appointed to exchange the same for Orders; to which Purpose the said Officers shall enter in a Book the Names of those who bring Tickets to be exchanged for Orders, the Numbers

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bers of the Tickets, and the Day and Year when brought; which Books shall lie open for all Persons concerned to peruse: And the said yearly Sum of 30,559 l. 14 s. shall be applied to discharge the same: The Orders shall be paid numerically; and the Order shall contain, besides the Number of the Order, the Number of that Thousand of the said Tickets for which such Order was made, and also the Number of the Course of Payments in which that thousand Tickets sell: And the Order for every Course of Payment shall begin a new Number, and continue to be numbered successively in arithmetical Progression, each Course beginning with the Number One: And any Person may include as many Tickets into one Order as he shall think fit, not exceeding 100 Tickets, tho' they be not successive Numbers, so as they be in the same Course of Payment; which standing Orders shall be made out to, and in the Names of, such Persons as bring the said Tickets to be exchanged, or whose Names shall be endorsed thereon as the Proprietors thereof: And such Orders shall be irrevocable and assignable.

XCV. *Señ. 29.* The Treasury may, if they think fit, direct the turning several Orders for small Sums of the same Course of Payment into Orders for larger Sums, not exceeding 500 l. in one Order, Principal Money; in which Case the former Orders for the small Sums shall be delivered up and cancelled; and the said new Orders shall take their Course of Payment equal to the highest Number of the said cancelled Orders.

XCVI. *Señ. 30.* All the Moneys arising of the said Fund of 30,559 l. 14 s. *per Annum*, during the said Term of thirty-two Years (unless the Principal be sooner paid off,) shall be appropriated for discharging the Monies that shall remain due of the said Principal Sum of 500,000 l. and the Interest thereof, in Manner following, *viz.* That quarterly, or within twenty Days after each Quarter-Day, during the said Term, the Treasury shall cause an Account to be made of the Monies which before each Quarter-Day has been brought into the Exchequer in the preceding Quarter, upon the said Fund of 30,559 l. 14 s. and then (deducting so much as will be sufficient to pay the Interest for such preceding Quarter, of what shall then remain unpaid of the said Principal Sum of 500,000 l.) the Residue of the Money so arising in such preceding Quarter, over and above the Interest Money for that Quarter, shall be applied towards paying such Part of the said Principal Sum, as shall then remain unpaid.

XCVII. *Señ. 31.* In Paying the said Principal Money in the Course before directed, it shall not be interpreted any undue Preference, if subsequent Orders be paid before other Persons Orders, who did not come to take their Money, and bring their Orders in Course; so as there be Money reserved to satisfy

tisfy preceding Orders: the Interest of such Orders being to cease from the Time the Money is so received.

XCIII. Sec. 32. If the Moneys arising by the said Duties in any one Year prove so low and deficient as not to have brought into the Exchequer the full yearly Sum of 30,559 l. 14 s. 10 d. (over and above the yearly Sum of 21,000 l.) then the Interest in Arrears shall be made good out of the first Money that shall arise on the said yearly Fund of 30,559 l. 14 s. after the End of such Year: And no Part of the said yearly Sum shall be applied in any Year towards paying the said Principal Money charged thereon, till all the Interest be paid, or sufficient Money reserved for Payment thereof.

XCIX. Sec. 33. From Time to Time, as Money shall come in to the Exchequer, the proper Officer shall cause Notice in the London Gazette, and by Writing hung up in his Office, to be given, of the Numbers and Courses of Payment of such Orders which the Monies come in will extend to pay.

C. Sec. 34. The Receivers of the Contribution-Money, having given Security, may, before they have received any Books of Tickets from the Managers, receive from any Persons the Money offered to be contributed, and give Receipts for the same: and shall be obliged thereby, and by this Act to give the Bearer Tickets for the same when the Books shall be delivered them by the Managers.

CI. Sec. 35. In Case any Contributor who shall have advanced one third Part, or more, of his Contribution-Money, before the 15th of April, 1719, shall not advance the remaining two thirds by the 15th of May, 1719, he shall forfeit the first third Part he shall have already paid as aforesaid: and the Receiver shall deliver no Ticket to any Contributor so making Default, but the Ticket shall be returned to the Managers, and by them be delivered into the Exchequer to be cancelled.

CII. Sec. 36. The Treasury shall appoint a Paymaster to pay the Interest and Principal Monies to become payable by Virtue of this Act, out of the said Fund of 30,559 l. 14 s. 10 d. which Payments shall be made in or near the Exchequer: and may also appoint the same, or some other Person, to register all Assignments of the standing Orders: and shall take Security of every such Officer for the faithful Performance of his Office: And the Money of the said yearly Fund, which shall from Time to Time be brought into the Exchequer, shall, by Order of the Treasury, and without any farther Warrant to be obtained in that Behalf, and in such Proportions as shall be sufficient to answer the respective Payments be issued and paid to such Officer, by Way of Imprest and on Account, who shall apply the same thereto in Manner as by this Act is directed, and shall be subject to such Inspection, Examination,

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Control, Audit, and other Rules, as the Treasury shall think fit to establish.

CIII. *Sec.* 37. The Officer, to be appointed thereto, shall register in a Book to be kept for that Purpose, all Assignments of Standing Orders, which shall be brought to him, without Delay or Fee; and such Assignments so entered, shall be good in Law, irrevocable, and transfer the Property of such Orders, and of the Principal and Interest due thereon to the respective Assignees.

CIV. *Sec.* 38. Where the extraordinary Benefit shall be for the Principal Sum of 1000*l.* or upwards, the Treasury may cause the said Principal, and the Interest of the same, to be divided into several Standing Orders, so as such Orders be numbered and payable successively each after the other, in the same Course of Payment as the same would have been had only one Order been made; and so as no such Order be for less than 100*l.* and the Interest thereof.

CV. *Sec.* 39. Guardians or Trustees may subscribe for Infants, and as to the Sums so advanced, shall be hereby discharged; so as the Names of such Infants be expressed in the Receipts for such Money, and upon the Tickets delivered out for the same.

CVI. *Sec.* 40. To the End the Sum of 32,325*l.* 1*s.* 9*d.* being the Remainder of the said Sum of 328,200*l.* 1*s.* 9*d.* may be raised for completing the Supply granted to his Majesty in this Session; enacted, That out of the Overplus of the Duties on Coals and Culm, coming into the Exchequer after Lady day, 1719, and at the End of every Quarter remaining there, (over and above so much as shall be sufficient to discharge the Payments by this Act directed on the said Funds of 21,000*l.* and 30,559*l.* 1*s.* 9*d.* per Annum.) the said Sum of 32,325*l.* 1*s.* 9*d.* shall be paid and satisfied: And the Treasury are directed to give Orders for the Payment thereof accordingly.

CVII. *Sec.* 41. The Treasury may reward the Managers, and the Clerks, &c. to be employ'd under them, and may discharge the incident Charges necessarily attending the Execution of this Act, out of the Duties on Coals and Culm, in such Manner as they shall think reasonable.

CVIII. *Sec.* 42. All the Overplus Monies, which at the End of any Quarter, during the said Term of thirty-two Years, shall arise by the said Duties (over and above the Payments before appointed) and all the Overplus of the said Duties, which shall remain after all the Monies charged thereon by this Act, shall be entirely paid off, shall be kept apart and reserved for the Disposition of Parliament, and shall not be applied to any other Purpose, but according to such future Acts as shall be made for the Disposition thereof.

CIX. *Stat. 43.* All Subscriptions for the Sale of the Chances, or Part of the Chances, to arise on the Tickets issued by Vertue of the Act of 5 G. c. 3. and all such Kind of Undertakings, shall be within the Meaning of the several Acts against private Lotteries; and the Persons buying, selling, subscribing, or taking Subscriptions, for the Purchase of such Chances, or Parts of Chances, of any Tickets made out in Pursuance of this or any other Act for a Publick Lottery, or on the Numbers of any such Tickets without having the original Tickets in their Custody and Right, shall be liable to the several Penalties and Forfeitures, inflicted by any former Acts on such as shall be concerned in private Lotteries: And farther, after the 10th of March, 1718, every such Offender, shall, for every such Chance, or Part of a Chance, so sold or subscribed for as aforesaid, forfeit 100*l* over and above any former Penalties inflicted by former Acts against private Lotteries; one Moiety to the Crown, the other to such Person as, in his own Right, shall, at the Commencement of the Drawing of such Lottery, be possessed of the Ticket on which such Chance, or Part of Chance, shall be sold or subscribed for; to be recovered by Action of Debt, &c. in any Court of Record at Westminster.

See the Act 5 G. c. 19. (For redeeming the Fund, appropriated for Payment of the Lottery-Tickets, which were made forth for the Service of the Year, 1710, &c.) in Tit. South-Sea Company.

Militia.

I. *Stat. 1 G. c. 14. Stat. 1.* The Preamble recites the Act 13 Car. 2. c. 3. For ordering the Forces in the several Counties of this Kingdom, (which see in Vol. 3. sub hoc titulo) and then it is enacted, That if at any Time hereafter it shall be found necessary by his Majesty, &c. to draw out the Militia into actual Service, and the same shall be signified to the respective Lieutenants, &c. of the several Counties, &c. of that Part of Great Britain called England, and to the Lord Warden of the Cinque Ports, two ancient Towns and their Members, or in his Absence to his Lieutenant, by his Majesty, it shall be lawful for the said Lieutenants, or their Deputies, or any two of them, and for the Lord Warden of the Cinque Ports, &c. notwithstanding one or more Months Pay, already advanced, be not re-imburshed, to raise and draw out the said Soldiers into actual Service, and to cause the Persons charged to provide each their Soldier with Pay in Hand, not exceeding one Month's

Month's Pay, in such Manner as if all their Pay already advanced, had been fully re-imbursed.

II. *Seff* 2. It shall be lawful for the proper Persons impower'd as aforesaid, to raise, draw out, and march such Part of the Militia of any City, &c. as they shall judge most convenient for the suppressing of Insurrections and Rebellions, and for repelling of Invasions; and the Pay advanced by the Persons chargeable with such Part of the Militia so employ'd, shall be repaid within six Months after, by an Assessment to be laid by an equal Pound-Rate throughout the whole County, &c. to which they belong; the said Pound-Rate to be assessed upon and paid by such Persons, and in such Proportions as they are chargeable to the Militia, according to such Directions as shall be given by the Lieutenants, or their Deputies, who are impowered to make and levy such Assessment; under the like Penalties and Forfeitures, as the Commissioners appointed in the Land-Tax of this Session are impowered to make and levy the Assessment for the said Land-Tax.

III. *Seff* 3. It shall be lawful for the several Lieutenants and their Deputies, to oblige all Persons chargeable to the Militia, to provide for every Horse and Horseman, a broad Sword, a Case of Pistols, the Barrels whereof to be twelve Inches long, and a Carabine with Belt and Bucket, a great Saddle or Pad, with Burs and Straps, and a Bit and Bridle with Pedoral and Crupper; and for every Foot-Soldier, a Musket, the Barrel whereof to be five Foot long, the Gage of the Bore for Bullets of twelve to the Pound, with a Bayonet to fix in the Muzzle thereof, a Cartouch-Box and a Sword, under the same Penalties, and by the same Ways, as they might have compelled the same Persons to provide Arms by Vertue of any former Act.

IV. *Seff* 4. All Persons receiving Trophy-Money, are required to account for the same at the General Quarter-Sessions of the County, &c. That is to say, for such Money as is already received, on or before the First of *February* next; and for what shall be received afterwards, within twelve Months after the Receipt thereof, and to pay the Balance within one Month then next ensuing, to the Treasurers or Clerks appointed to receive the Monies to be levied by Vertue of any Act relating to the Militia; and in Default thereof such Persons shall forfeit treble the Sum, unaccounted for or unpaid; one Moiety to the Use of the County, &c. as the Justices shall appoint, and the other to such Persons as shall sue for the same.

V. *Seff* 5. Such Persons as shall be appointed Treasurers to receive and pay the Money, to be levied by Vertue of this Act, for the Use of the Militia, shall within three Months after their said Appointment, give such Security for the due

Execution of their Office, before three or more Deputy-Lieutenants of the County, &c. as shall be by them approved; and such as are already appointed Treasurers, shall give the like Security on or before the first of November, 1715.

VI. *Seff. 6.* It shall be lawful for the Lieutenants and Deputy-Lieutenants of any County, &c. upon Information that any Book or Papers, that may be of Use in Execution of the Powers contained in this Act, are in the Hands of any former Clerk, or other Person, to issue their Warrants requiring such former Clerk, &c. to deliver the same to such Clerk or other Person, as in such Warrant shall be named; and if such former Clerk, &c. shall refuse to deliver such Books, &c. within ten Days after Demand thereof, and do not within ten Days after such Demand, make Oath before some Justice, that such Book, &c. is not in his Power; or, being a Quaker, do not make an Affirmation to the same Purpose, then every Person so refusing shall forfeit 100 l. one Moiety to the Use of the County, &c. the other to the Person who shall sue for the same.

VII. *Seff. 7.* The Lord Warden of the Cinque-Ports, &c. and in his Absence his Lieutenant, may put in Execution within the said Ports, &c. all the Powers and Authorities given by this Act; and perform all Things therein contained, as the Lieutenants of Counties and their Deputies, may do; and the Inhabitants of the said Ports, &c. being, in Regard of their Situation on the Sea-coast, charged with a greater Proportion of Arms and armed Men than the other Parts of the Kingdom, shall not be charged with either in the Counties adjacent for their Estates there lying, save only for such Proportion as they are liable to, and either are not or shall not be charged with, within the said Ports, &c.

VIII. *Seff. 8.* Nothing in this Act shall take away any Right of the Lieutenants of London, of assessing, &c. the Inhabitants of that City, and the Liberties thereof; or any other Right or Power, vested in the Lieutenants of the said City by any former Act of Parliament.

IX. *Seff. 9.* Nothing in this Act shall extend to make any Person chargeable to the Militia, who is not already chargeable by Law to the same; or to enlarge the Power of the Lieutenants, or their Deputies, in any Kind beyond the Authority given them by the Acts of the 13th, 14th, and 15th Years of C. 2. relating to the Militia, saving only in particular Cases provided for by this Act: And no Person shall be obliged at any Time hereafter, to advance more than one Month's Pay to any Horse or Foot Soldier, till the Month's Pay, by such County, &c. so to be advanced, shall have been repaid to such County, &c. by his Majesty, &c. out of the publick Treasury.

X. *Stat.* 10. The Power hereby given to raise, &c. the Militia of any County, &c. shall continue only for five Years, and from thence to the End of the then next Session of Parliament.

Naturalization.

I. *Stat.* 1 G. c. 4. *Stat.* 1. Reciting the Clause in the Act, 12 W. 3. c. 2. For the further Limitation of the Crown, &c. whereby it is enacted, That after the Time that the further Limitation of the Crown by that Act should take Effect, no Person born out of the Kingdoms of England, Scotland, or Ireland, and the Dominions thereof, tho' he be naturalized or made a Denizen, except such as are born of English Parents, should be capable to be of the Privy Council, &c. and that whereas some Doubts have arisen concerning the Construction of the said Law: Therefore declared and enacted, That it was not the Intent of the said Act, that the said Clause should extend, nor shall it be construed to extend, to disable any Person, who, at or before his Majesty's Accession to the Crown, was naturalized, to be of the Privy Council, or a Member of either House of Parliament, or to enjoy any Office of Trust, either Civil or Military, or to have any Grant of Lands, &c. from the Crown.

II. *Stat.* 2. No Person shall hereafter be naturalized, unless in the Bill exhibited for that Purpose, there be a Clause to declare, That such Person shall not be enabled to be of the Privy Council, or a Member of either House of Parliament, or enjoy any Office of Trust, or have any Grant from the Crown; and no Bill of Naturalization shall hereafter be received in either House without such Clause.

III. *Stat.* 4 G. c. 29. *Stat.* 1. Enacted, That the 213 Families of Protestant Palatines, now settled in Ireland, (whose Names are mentioned in the Act) or such of them as shall before the 25th of March, 1716, receive the Sacrament according to the Usage of the Church of Ireland, and shall in the Courts of Chancery, &c. or at the Quarter-Sessions of the County where they shall inhabit, take and subscribe the Oaths; and make repeat and subscribe the Declaration in the Act of 7 A. c. 5. (the taking and subscribing of which Oaths and Declaration shall be entered in the said Courts, &c. for which 1 s. only shall be paid) every of them so qualifying themselves, shall be deemed as natural-born Subjects in Ireland, and shall enjoy the same

Privileges as if they had taken the said Oaths, &c. during the Continuance of the said Act.

IV. *Sec. 3.* None of the Persons mentioned in this Act shall be capable of being a Privy Councillor, or Member of either House of Parliament, or to enjoy any Place of Trust, or to take any Grant of Lands, &c. from the Crown: And shall be subject to all the Incapacities mentioned in the Acts 12 & 13 W. 3. c. 2. and 7 A. c. 5.

Naval Stores.

I. *Stat. 1 G. c. 25. Part 4. Sec. 3.* The Treasurer, Controller, Surveyor, Clerk of the Acts, and Commissioner of the Navy, or one of them, shall have Power to enquire, and by Warrant under their Hand and Seal to impower any Person to search for imbezilled Stores, &c. in all Places, as Justices of Peace may do in Cases of Felony, and punish the Offenders by Fine and Imprisonment, the Fine not exceeding 20 s. and the Imprisonment not exceeding one Week, in the next Gaol, or in the Hands of the Messenger attending them, such Goods not exceeding the Value of 20 s. and cause the Goods to be brought in again; and if the Offence be of such Nature as requires a severer Punishment, then they may commit such Offender to the next Gaol, &c. as aforesaid, till he enter into Recognizance, with Sureties, to appear and answer the same, in the Court of Exchequer, or other Court where his Majesty shall question him, within one Year following, on Process duly served on such Offender.

II. *Sec. 4.* The said Treasurer, &c. where the Value of Goods imbezilled or carry'd away from his Majesty's Yards, &c. shall be under the Value of 20 s. shall have full Power, on the Oath of one Witness, or Confession of the Offender, or other legal Proof, to convict the Party so offending, and to impose on him such Fine as aforesaid, as to the said Treasurer, &c. shall seem meet, not exceeding double the Value of the Goods, so imbezilled; which Fine shall be levied by Distress and Sale of the Offender's Goods, by Warrant of such Officer who shall convict the said Offender; and for Want of such Distress, the Party so offending shall be committed to the next Gaol, for any Time not exceeding three Months, without Bail or Mainprize.

III. *Sec. 5.* The said Treasurer, &c. on Oath of one or more credible Witnesses, testifying, That his Majesty's Naval Stores, &c. are convey'd into any Ship or Vessel whatsoever, and mentioning the Name of such Ship, being at Anchor, and not ready to sail that Tide, within any of the Roads, Harbours,

hours, &c. in his Majesty's Dominions, may authorize any Person or Persons by their Warrant (in which Warrant the Quantity and Quality of such Goods shall be specify'd) in the Day-time, to go on Board any such Ship, &c. and in Case of Resistance to break open the Hatches, &c. of such Ship, and Search for such Goods, &c. so taken away, and seize the same for his Majesty's Use, and carry them to his Yards, &c. unless the said Officers and Commissioners shall find, upon hearing the Matter, that they were unduly seized, and thereupon restore them to the Party claiming them.

IV. *Sec.* 6. Every Person who shall counterfeit the Hand of the said Treasurer, &c. or of the vouching Officers of his Majesty's Navy, &c. to any Bill, Ticket, or other Papers, by Vertue whereof his Majesty's Naval Treasure may be disposed of, or shall knowingly produce any such counterfeit Ticket, &c. every such Person shall be committed to Prison, till he shall find Sureties for his Appearance at the next Assizes or Quarter-Sessions.

V. *Sec.* 7. All Persons, their Aiders and Abettors, that shall be convicted of any of the Crimes mentioned in the Act 9 & 10 W. 3. c. 41. *For the better preventing the Imbezilment of his Majesty's Stores of War, &c.* shall for every such Crime, over and above the Penalties inflicted by any other Laws now in Force, be liable to the Penalties inflicted by the said Act, to be recovered and distributed as therein is mentioned.

VI. *Sec.* 8. The Judge, &c. before whom any such Offender shall be tried and convicted of any the Crimes before-mentioned, may mitigate the Penalties by the same Act imposed, according to his Discretion; or in Lieu thereof punish such Offender by publick Whipping, or committing him to some publick Work-house, there to be kept to hard Labour for three Months, or less, as to such Judge, &c. shall seem meet.

VII. *Sec.* 9. It shall be lawful for the Lord High Admiral, &c. or for the Treasurer, &c. of the Navy, to administer Oaths in Cases relating to the receiving, keeping, issuing, and accounting for any Part of his Majesty's Treasure, Victuals, Stores or Provisions of his Navy, or for the Preservation of due Order therein, or in any other Matter relating to the Affairs of the Navy.

VIII. *Sec.* 10. The said Treasurer, &c. of the Navy, may execute all the Powers hereby, or by any other Law given them, on every the Offenders aforesaid, in all Places, as well within Liberties as without.

IX. *Sec.* 11. Nothing herein contained shall repeal, alter, or make void any the Clauses, &c. in the Act 22 C. 2. c. 23. but the same shall remain in full Force and Vertue.

X. *Sett.* 12. All the Powers hereby given to any Officer of the Navy, may be executed by the Admiralty of *Great Britain*.

XI. *Sett.* 13. No Person punished by Vertue of this Act, shall be punished by any other Law for the same Offence.

XII. *Sett.* 14. This present Act, and also the said Act of 9 *W. 3. c. 41.* shall be deemed publick Acts in all the Courts of Law and Equity, by all the Judges, &c. without pleading the same.

XIII. *Sett.* 15. All Convictions and Judgments had or given in Pursuance of this Act, shall be final; and not subject to any Appeal or *Certiorari*; nor be removed, suspended or superseded thereby.

XIV. *Sett.* 16. If any Person be sued for doing any Thing in Pursuance of this Act, or of the said Act 9 *W. 3. c. 41.* he may plead the General Issue, and give this and the last mentioned, as also the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be nonsuit, &c. the Defendant shall have double Costs against such Plaintiff to be levied as Costs in other Actions may.

See the other Parts of this Act in Tit. Piracy and Seamen.

Nevis and St. Christopher's.

I. Stat. 5 *G. c. 32.* Enacted, That all the Proprietors of Plantations, and Inhabitants of the Islands of *Nevis* and *St. Christopher's*, who by the Return of a Commission issued for that purpose, as mentioned in the Acts of 9 *A. c. 23.* and 10 *A. c. 34.* appear to be Sufferers in the said Islands; and who by themselves, their Agents or Representatives, have settled or resettled, and resided in either of the said Islands, in any Plantations, Houses, Dealings, or Occupations there, before the 25th of December, 1711, and have made Proof of their Settlements before the 25th of December, 1712, as directed by the said Acts, shall be deemed to be resettled within the Intent of the said Acts, and shall be entitled to a proportionable Share of the Bounty of 103,003 *l. 11s. 4d.* appointed by the first of the said Acts to be distributed amongst the said Proprietors and Inhabitants, and for that Purpose shall have such and the like Debentures as by the said Acts are directed for any Sufferers at the said Islands, and shall be entitled to all other Benefits and Advantages given by the said Acts to any Sufferers by the Invasion of the *French* there.

Daths.

Oaths.

I. Stat. 1 G. 3. Stat. 1. c. 3. Sect. 1. The Preamble recites the Act 6 A. c. 7. For Security of Her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line; and that whereas divers Persons having Offices, &c. in Ireland, are now in Great Britain, and by Reason of their Attendance in Parliament, and other Occasions, cannot go to Ireland to qualify themselves as the Law directs; therefore enacted, That if any Person, having any Office, &c. in Ireland, at the Demise of the late Queen, be residing in England, and shall there take the Oaths in the said Act directed, and do all other Acts requisite by the Laws of this Realm for qualifying Persons to continue in the like Offices, &c. in England, and do the same in such Courts, and before such Persons, and in such Time and Manner as by the said Laws are required; the doing thereof in England, in Manner aforesaid, shall be of the same Effect for qualifying such Persons to continue in such Offices, &c. in Ireland, to all Intents and Purposes, as if such Person had taken such Oaths and done such other Acts in Ireland, and in such Courts, Places and Manner, as for qualifying Persons to continue in such Offices, &c. in Ireland, is by Law directed.

II. Sect. 2. It shall be lawful for every Person, having such Office in Ireland, to take the usual Oath of his Office before one of the Barons of the Exchequer at Westminster, the Tenor of which Oath of Office, the Lord High Chancellor, &c. of Ireland, is required to transmit, attested under his Hand, to the said Barons; and the Baron who shall administer such Oath of Office, shall certify the Taking thereof, under his Hand and Seal, to the said Lord High Chancellor, &c. of Ireland, on or before the 1st of February next; and such Certificate shall remain of Record in the Chancery in Ireland.

III. Stat. 1 G. 3. Stat. 1. Sect. 1. The Preamble recites the Acts of 12 W. 3. c. 2. 13 & 14 W. 3. c. 6. 1 A. c. 22. and 4 A. c. 8. and then it is enacted, That all Persons, as well Peers as Commoners, that shall bear any Office, civil or military, or receive any Salary, &c. by Reason of any Patent, &c. from his Majesty, or who shall have any Command or Place of Trust under his Majesty, or from his Predecessors, or by his or their Authority, in Great Britain or in the Navy, or in Jersey and Guernsey, or shall be of the Household or Service of his Majesty, or of the Prince or Princess of Wales, or their Issue, and all

all Ecclesiastical Persons, Heads or Governors, and all other Members of Colleges and Halls in any University, that are of the Foundation, or enjoy any Exhibition, (being eighteen Years old) and all Persons teaching or reading to Pupils in any University, or elsewhere, and all Schoolmasters and Ushers, and all Preachers and Teachers of separate Congregations, all Constables, and every Serjeant and Counsellor at Law, Barrister, Advocate, Attorney, Solicitor, Writer in Star, and, Proctor, Clerk, or Notary, by practising as such in any Court, who shall inhabit or be in London or Westminster, or within thirty Miles from the same, on the first Day of Michaelmas-Term next, at any Time during the said Term, shall appear before the End of the said Term, in the Court of Chancery, King's Bench, Common Pleas, or Exchequer, and there in open Court, between the Hours of nine and twelve in the Forenoon, take the following Oaths, viz.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true Allegiance to his Majesty King George:

So help me God.

I A. B. do swear, That I do from Heart abhor, detest, and abjure, as impious and heretical, that damnable Doctrine and Position, That Princes excommunicated or deprived by the Pope, or any Authority of the See of Rome, may be deposed or murdered by their Subjects; or any other whatsoever. And I do declare, That no foreign Prince, Person, Prelate, State, or Potentate, hath, or ought to have any Jurisdiction, Power, Superiority, Pre-eminence, or Authority, Ecclesiastical or Spiritual, within this Realm:

So help me God.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign Lord King George is lawful and rightful King of this Realm, and all other his Majesty's Dominions and Countries therunto belonging. And I do solemnly and sincerely declare, That I do believe in my Conscience, that the Person pretended to be Prince of Wales, during the Life of the late King James, and since his Decease, pretending to be, and taking upon himself the Style and Title of King of England, by the Name of James the Third, or of Scotland, by the Name of James the Eighth, or the Style and Title of King of Great Britain, hath not any Right or Title whatsoever to the Crown of this Realm, or any other the Dominions thereto belonging: And I do renounce, refuse, and abjure any Allegiance or Obedience to him. And I do swear, That I will bear Faith and true Allegiance to his Majesty King George, and him will defend, to the utmost of my Power, against all traitorous Conspiracies and Attempts whatsoever, which shall be made against his Person, Crown, or Dignity. And I will do my utmost En-

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deavour to disclose and make known to his Majesty, and his Successors, all Treasons and traitorous Conspiracies which I shall know to be against him, or any of them. And I do faithfully Promise, to the utmost of my Power, to support, maintain, and defend the Succession of the Crown against him the said James, and all other Persons whatsoever; which Succession, by an Act, intituled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, is and stands limited to the Princess Sophia, Electress and Dutchess Dowager of Hanover, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely Acknowledge and Swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, Mental Reservation, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, heartily, willingly and truly, upon the true Faith of a Christian:

So help me God.

Unto which Oaths every Person so taking the same, shall subscribe his Name; and if he cannot write, shall make his Mark; and while the Oaths are taking, all Pleas and Proceedings shall cease: And all the said Persons and Officers, not having taken and subscribed the said Oaths, as aforesaid, shall, on or before the 23d of January next, at the Quarter-Sessions for that County, &c. where he shall be or reside on the first of December next, take the said Oaths in open Court, between the said Hours of nine and twelve in the Forenoon, and subscribe his Name; or, if he cannot write, make his Mark under the same.

IV. *Sec. 2.* Every Person who shall be admitted, enter'd, placed or taken into any Office, civil or military, &c. in England, &c. [as above in the last Section] who shall at any Time before the 10th of August, 1715, be admitted into, or enter upon, any of the before-mentioned Preferments, &c. shall within three Months after they shall be so admitted, &c. take and subscribe the same Oaths in one of the said Courts at Westminster, or at the Quarter-Session of the County, &c. where he resides.

V. *Sec. 3.* All Persons, as well Peers as Commoners, who, by Vertue of any Acts made since the Union, were bound to take and subscribe the Oath of Allegiance, subscribe the Assurance, and take and sign the Abjuration, on Account of any Office, or other Occasion, in Scotland, shall, by the first of December, 1715, take and subscribe the aforesaid Oath of Abjuration, and the said Oath of Allegiance, and subscribe the Assurance in the Words following, viz.

I A. B. do feſterly promiſe and ſwear, That I will be faithful, and bear true Allegiance to his Maſteſty King George: So help me God.

I A. B. do, in the Sincerity of my Heart, aſſert, acknowledge, and declare, That his Maſteſty King George is the only lawful and undoubted Sovereign of this Realm, as well de Jure, that is, of Right, King, as de Facto, that is, in the Poſſeſſion and Exercise of the Government; and therefore I do ſincerely and faithfully Promiſe and Engage, That I will, with Heart and Hand, Life and Goods, maintain and defend his Maſteſty's Title and Government, againſt the Perſon pretended to be Prince of Wales, during the Life of the late King James, and ſince his Deceſſe, pretending to be, and taking up on himſelf the Title and Title of King of England, by the Name of James the Third, as of Scotland, by the Name of James the Eighth, or the Title and Title of King of Great Britain, and his Adherents, and all other Enemies, who either, by open or ſecret Attempts, ſhall diſturb or diſquiet his Maſteſty in the Poſſeſſion and Exercise hereof.

And that in ſuch Courts, within ſuch Times, before ſuch Judges, in ſuch Manner, and ſo be certified, as by the ſeveral Acts above-mentioned is directed.

VI. Sect. 4. Every Perſon, who ſhall reſuſe to take the ſore ſaid Oath of Abjuration, or being a Quaker, ſhall reſuſe to declare the Effect thereof on his ſolemn Affirmation, as directed by the Act 7 W. 3. c. 34. (which Oath and Declaration the Member laſt elected for any County or Stewartry in Scotland, or in his Abſence the Sheriff or Stewart's Clerk, till a Perſon be choſen to preceed in the ſaid Meetings of Free Elections in Scotland, according to the Directions contained in the 1ſt Act of the 3d Parliament of Geo. held in Scotland, intitled, An Act concerning the Election of Commiſſioners for Shires, is authorized to adminiſter, at the Requeſt of any Candidate, &c.) ſhall not be capable of giving any Vote for the Election of a Preſident of the Meeting, making up the Rolls, or of any Member to ſerve in the Houſe of Commons, for any Place in Scotland, or Commiſſioner to chooſe a Burgeſſes for any Place there: And it is declared, That by no Words in the ſaid Oath, or Oaths ſore ſaid formerly impoſed, it is or was meant to oblige any of his Maſteſty's Subjects to any Acts, inconfiſtent with the Eſtabliſhment of the Church of Scotland.

VII. Sect. 5. All Heads, Maſters and Members, of Colleges, Halls, or Claſſes, in the Universities of St. Andrews, Glaſgow, Aberdeen and Edinburgh, and all Probationers or Licentiates of Divinity, before they enter on their Trials, or obtain Licences to preach, and all Schoolmaſters in Scotland, ſhall take and ſub-

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scribe the aforesaid Oaths, and subscribe the said Assent, appointed to be taken for Offices, &c. in *Scotland*, before such Judges, and obtain such Certificates, as by this, or the Act herein referred to, is directed.

VIII. *Sec.* 6. Nothing in this Act shall extend to any Person beyond the Seas, so as such Person, within three Months after his Return, take the said Oaths, &c.

IX. *Sec.* 7. All Persons, that shall neglect or refuse to take the said Oaths, and subscribe thereto, in the said Courts and Places, and at the respective Times aforesaid, shall be adjudged incapable to enjoy the said Offices, &c. or any Profit appertaining to them; and every such Office, &c. shall be void.

X. *Sec.* 8. Every Person, who shall neglect or refuse to take the said Oaths, and yet after such Neglect or Refusal, shall execute, by himself or Deputy, any the said Offices after the Expiration of the Time wherein he ought to have taken them, being convicted thereof, shall be disabled to sue, &c. or to be Guardian or Executor, or capable of any Legacy or Deed of Gift, or to be in any Office in *Great Britain*, or to vote at any Election for Members of Parliament, and shall forfeit 500 *l.* to him that will sue for the same, to be recover'd by Action of Debt, &c. in any of the Courts at *Westminster*, wherein no Eschewment shall lie, or more than one Imparlance; and by Way of Summar Complaint before the Court of Sessions or Prosecution before the Court of Justiciary in *Scotland*.

XI. *Sec.* 9. It shall be lawful for the said Courts to administer the said Oaths to the Persons aforesaid; and on Tender of any Person to take the same, they are enjoined to administer them; and the proper Officer shall have of every Person so taking the said Oaths, 2 *s.* and no more; and a Register shall be kept of all Persons who have taken the Oaths, to be inspected without Fee.

XII. *Sec.* 10. It shall be lawful for two Justices of Peace, or any other Persons specially appointed by his Majesty, by Order in the Privy Council, or by Commission under the Great Seal, to administer and tender the aforesaid Oaths to any Persons whatsoever, whom they shall suspect to be dangerous or disaffected to his Majesty or his Government: And if any Person shall refuse to take them, such Justices, or &c. shall certify that Refusal thereof to the next Quarter-Sessions of the County, &c. in which such Refusal shall be made, to be recorded there; and shall be from thence certified by the Clerk of the Peace into the Court of Chancery, King's Bench, Court of Sessions, or of Justiciary in *Scotland*, there to be recorded in a Roll to be kept for that Purpose only: And every Person so neglecting or refusing to take the said Oaths, shall, from the Time of such Neglect or Refusal, be adjudged a Popish Recusant convicted, and to forfeit and be proceeded against as such.

XIII. *Stat. 11.* Any Two or more Justices of the Peace, or other Persons, &c. may, by Writing under their Hands and Seals, summon any Person to appear before them at a Day and Time appointed, to take the Oaths; which Summons shall be served on such Person, or left at his House or Place of Abode, with one of the Family; and if such Person shall not appear according to such Summons, then, on Oath of serving the said Summons, such Justices, &c. are to certify the same to the next Quarter-Sessions for such County, &c. there to be enter'd on the Rolls; and if such Person shall not appear there and take the Oaths, his Name shall be publicly read at the first Meeting of the Sessions, and he shall be esteemed a Popish Recusant convict, and the same shall be certified by the Clerk of the Peace into the Chancery, &c.

XIV. *Stat. 12.* If any Member or Head of any College or Hall in *Oxford* or *Cambridge* that are of the Foundation, or enjoy any Exhibition, being of the Age of eighteen Years, shall refuse the said Oaths, or to produce a Certificate of his having taken them, and cause it to be enter'd in the Register of such College or Hall, within one Month after his having taken them; and if the Persons in whom the Right of Election shall be, do not elect some other proper Person in his Place within twelve Months after such Refusal, then the Crown under the Great Seal or Sign manual, may nominate some Person, qualified according to the local Statutes of the College, to succeed; and such Person so nominated shall enjoy such Place, and all Benefits, &c. to the same belonging, as if he had been chosen by the proper Electors of such College or Hall.

XV. *Stat. 13.* If the Head of any College or Hall, &c. refuse to admit such Person so nominated as aforesaid, by the Space of ten Days after such Admission demanded, then the local Visitor is to admit him, in one Month after it shall be demanded; and if such Visitor refuse, the King's Bench may issue out a Writ of *Mandamus*, directed to such Visitor, to admit such Person to such Place, and proceed on the said Writ according to the Course of the Court in such Cases.

XVI. *Stat. 14.* Any Person who by any Neglect or Refusal shall forfeit his Office, may be capable of a new Grant of the same or any other Office, on taking the said Oaths, so as such Office be not granted to another.

XVII. *Stat. 15.* Nothing herein contained shall extend to any Person on Board the Fleet, or who shall go beyond-Sea before the first of *November* next, so as such Person take the said Oaths within three Months after his Return.

XVIII. *Stat. 16.* After the 29th of *September*, 1715, no Peer shall vote or make his Proxy, or sit in the House of Peers during any Debate; nor any Member of the House of Commons, shall vote or sit there during any Debate, after the Speaker is chosen,

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chosen, till he has taken the Abjuration-Oath aforesaid, instead of that Abjuration-Oath which before ought to have been taken.

XIX. *Seff.* 17. If any Member of either House, in this or any succeeding Parliament, shall, after the said 29th of September, presume to vote or make his Proxy, not having taken the said Oaths, &c. he shall be disabled to sue in any Court of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian, Executor, or Administrator, or be capable of any Legacy or Deed of Gift, or to be in any Office in *Great Britain*, or to vote at any Election for Members of Parliament, and shall forfeit 500 l. to him who will sue for the same in any Court at *Westminster*, or by Way of summar Complaint before the Court of Sessions or Justiciary in *Scotland*.

XX. *Seff.* 18. Provided, That nothing in this Act shall extend to take away any Office of Inheritance, so as the Person having such Office substitute a Deputy, and such Deputy qualify himself according to the Act of 25 C. 2. c. 2. *For preventing Dangers which may happen from Popish Recusants*, and take the Oaths by this Act required, and be approved of by the King under his Privy Signet.

XXI. *Seff.* 19. Provided, That no Office of Inheritance in *Scotland* shall be forfeitable, otherwise than according to the Laws now in Force there.

XXII. *Seff.* 20. This Act shall not extend to the Office of any Tithingman, Headborough, Overseers of the Poor, Church-wardens, Surveyors of the Highways, or any like inferior civil Office, or to any Forester, or Keeper of any Park, &c. or Bailiff of any Manor, &c. nor to any like private Offices.

XXIII. *Seff.* 21. Nor shall this Act extend to any Person, who since his Majesty's Accession has taken the Oaths of Allegiance and Supremacy, and the Abjuration-Oath, in any the Courts at *Westminster*, the Quarter-Sessions, or in either House of Parliament, unless by Reason of his having some new Office, &c.

XXIV. *Seff.* 22. All Persons, who by any Law now in Being are obliged to receive the Sacrament, and to subscribe the Declaration against Transubstantiation, shall continue obliged to receive, &c. together with the Oaths appointed by this Act, in such Manner, and under such Penalties in Case of Neglect, as is required by any former Law.

XXV. *Seff.* 23. All Persons who shall by the first of December next, take and subscribe the Oaths in the Manner appointed in this Act, and receive the Sacrament, &c. are hereby indemnified from all Penalties, Incapacities, &c. incurred by any former Neglect; and shall be fully recapacitated and restored to such Condition as before such Neglect.

XXVI. *Señ. 24.* All Persons who have at any Time since his Majesty's Accession taken the Oaths, &c. according to any Acts concerning Persons in Offices or Places of Trust, are indemnified as aforesaid, tho' the same has not been within the Time appointed by Law.

XXVII. *Señ. 25.* Provided, That no Person, who by Reason of such Neglect hath forfeited any Office, &c. to which another hath been preferred, shall be restored to such Office, &c.

XXVIII. *Señ. 26.* Provided always, That any Persons who by Vertue of any Thing in this Act, shall become Popish Recusants convicted, and shall thereafter take the Oaths, &c. shall be from such Time discharged from such Conviction.

XXIX. *Señ. 27.* The Oath of Abjuration and the Assurance in this Act, shall in all Cases be taken in Lieu of the Abjuration and Assurance formerly appointed.

XXX. *Señ. 30.* His Majesty may grant a Commission to any Persons to administer the Oaths in this Act to all Officers, Seamen and private Soldiers in his Majesty's Service, either by Sea or Land; who are required to take the same under the Penalties in this Act, and to subscribe the same upon a Roll to be kept by the Person who shall administer them; which Roll such Person shall, by the 12th of February, 1715, deliver into the Office of the Petty Bag in Chancery, there to be kept on Record.

XXXI. *Señ. 31.* No Seaman or Soldier, under the Degree of a Commission or Warrant Officer, shall pay any Fee on taking the said Oaths.

XXXII. *Señ. 32.* Nothing in this Act shall extend to the Office of Lord Great Chamberlain of England, so as he substitute a sufficient Deputy, who shall have taken the Oaths aforesaid.

XXXIII. *Señ. 33.* After the 29th of September, 1715, the Oath of Abjuration by this Act appointed to be taken in Great Britain, shall be the Oath to be taken in Ireland, and no other, and the Indemnities above-mentioned are extended to that Kingdom.

Papists.

I. *Stat. 1 G. c. 55.* The Preamble recites, That whereas the Papists in this Kingdom, notwithstanding the tender Regard that has been shewn them for many Years past, by not putting in Execution the Penal Laws, which, on Occasion of the many just Provocations they have given, and horrid Designs

signs they have framed for the Destruction of this Kingdom, and Extirpation of the Protestant Religion, have been made against them; and notwithstanding they have enjoyed and still enjoy the Government's Protection as well as their Fellow-Subjects, have not only, all or most Part of them, been concerned in stirring up and supporting the late unnatural Rebellion, for dethroning and murdering his Majesty, for setting a Popish Pretender on the Throne, for the Destruction of the Protestant Religion, and the cruel Massacring its Professors, whereby they have brought a vast Expence on this Nation: And whereas it manifestly appears by their Behaviour, that they take themselves to be obliged by the Principles they profess, to be Enemies to his Majesty and the present happy Establishment, and watch all Opportunities of fomenting new rebellions, and of inviting Foreigners to invade the Kingdom: And it being highly reasonable they should contribute a large Share to all such extraordinary Expences as are brought on this Kingdom by their Treachery and Instigation; and to the End that by paying largely to the late great Expences by them brought on the Nation, they may be deterred, if possible, from the like Offences for the future; and that the Nation may have the Benefit of his Majesty's Condescension in giving the two Thirds of the Papists Estates already forfeited, to the Use of the Publick, either by seizing the said two Thirds, or by laying some Tax on their Estates in Lieu thereof, in such Proportion and Manner as shall be determined in Parliament; and to the End their Estates may be certainly discovered for the Purposes aforesaid, and such other Ends as a Parliament shall think reasonable; therefore enacted, (*Stat. 1.*) That all Persons not having taken the Oaths herein after mentioned, before the last Day of *Trinity-Term*, 1716, having any Estate in Lands, Tenements, or Hereditaments lying in *England, Wales or Berwick*, who is or shall be a Popish Recusant or Papist, or educated in the Popish Religion, or whose Parent or Parents shall be a Papist, shall, if they be on the 24th of *June*, 1716, twenty-one Years of Age, on or before the 20th of *January*, 1716, and if they be, on the said 24th of *June*, unborn, or under that Age, within six Months after they attain thereto, and have such Estate as aforesaid, take the Oaths appointed by the Act of this Session, intituled, *An Act for the further Security of his Majesty's Person and Government, &c.* and repeat and subscribe the Declaration in the Act 30 C. 2. c. 1 in the Court of Chancery, Common Pleas, King's Bench or Exchequer, or at the General Quarter-Sessions for the County, &c. where such Lands, &c. lie, between the Hours of nine and twelve in the Forenoon, or in Default, shall, within six Months after the Time hereby appointed for them to take the said Oaths, and

So from Time to Time, within six Months after they or any Trustee for them, shall come into the Possession of the Profits of any Lands, &c. register their Names and Lands, and shall express in such Register in what Place such Lands, &c. lie, and who are the Possessors thereof, and of every Part thereof, and what Interest they have in the same, and the yearly Rent reserved, if the same are let; and, if let upon Lease, then by whom such Lease was made, what yearly or other Rent is reserved thereon; and what Fine was paid for such Lease, in Case the same was made by himself, or by any in Trust for him, or that he was privy thereto, and the Day of the Month and Year when such Entry shall be made, in a Parchment-Book or Roll, to be kept by the Clerk of the Peace for the County, &c. where such Lands, &c. shall lie. And to prevent all fraudulent or erroneous Registering any Persons Names or Estates, every Person whose Name and Estate shall or ought to be register'd, is to take Care that his Name be, within the said six Months, subscribed to such Registry in the Presence of two or more Justices of the Peace for the County, &c. where such Registry shall be, in open Sessions, or by his lawful Attorney, authorized by Letter of Attorney, under his Hand and Seal, and executed in the Presence of two or more Witnesses; two of which Witnesses at the least shall make Proof of such Execution, on Oath, at the Quarter-Sessions, where such Name shall be subscribed or Registry produced; and the Justices at the said Quarter-Sessions are to examine such Witnesses on Oath for that Purpose; and two of the Justices shall subscribe their Names to every such Entry; as Witnesses that the same was duly made; and in Default thereof, each of the Justices then present shall forfeit 20 l. to the King. And that the Parties concerned may find no Difficulty in procuring their Names and Estates to be register'd, the Clerks of the Peace are to keep Parchment-Books or Rolls, at some notorious Place in the County, &c. and shall by themselves or Deputies, register in the said Books, &c. the Christian and Surnames of all those who shall come in Person and desire to be register'd, or who shall send any Writing under their Hand to such Clerk, or his Deputy, desiring him to register their Names; and shall also register the Estate in Lands, &c. of every such Persons, in such Manner and Words as they shall by any Writing signed by them, desire such Clerk, &c. to register the same: Provided they who desire such Registry, do tender and pay to such Clerk, &c. the Fees hereby appointed, and do apply to him to enter such Registry, and deliver in Writing the Words they desire to have register'd, ten Days at least before the Quarter-Sessions where the Entries thereof are to be subscribed: And such Clerk, &c. shall enter their

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their Names, and Registry of their Estates, before the next Quarter-Sessions after such Delivery, in the said Books, &c. which Books, &c. they shall carry to the next and every other Quarter-Sessions to be held for the County, &c. till the Time of such subscribing shall be expired; to the End that all those whose Names shall be register'd, or their Attorneys, may come to the Quarter-Sessions, and subscribe the Names of the Persons so to be register'd to the same: And such Clerk, &c. shall also keep alphabetical Tables of their Surnames, and of the Places where the Lands lie, with Reference to the Books, &c. where such Names and Lands are register'd; and shall also carefully keep all such Warrants of Attorney on a File, together with such Books or Rolls, and shall enter such Warrants on Record; and shall have for such Registering and Entry on Record, three Pence for every 200 Words, and no more, to be paid by the Person registering the same; and shall also have four Pence, and no more, for every Search that shall be made for the Name or Estate of any Person; and are required to make Search on Request of any Person who shall pay such Fees, and shall permit such Persons to inspect the said Tables, Books and Rolls, and such Letters of Attorney: And every such Clerk is to give Copies of such Registers, subscribed by himself or Deputy, to every Person desiring the same, and tendering the Fees hereby appointed to be paid; and shall suffer such Persons to examine the same with the Rolls or Books, and shall take a Fee of three Pence for every 200 Words in such Copy, and no more: And if any Clerk of the Peace shall neglect or refuse to do any Thing hereby appointed to be done by him, and be thereof convicted, he shall forfeit his Office. And if any Person hereby required to take the said Oaths, &c. or in Default to register his Name and Estate, shall neither take the said Oaths, &c. nor register his Name and Estate, nor subscribe his Name, or procure it to be done by his Attorney, within the Times herein limited, or shall not register the same truly, he shall forfeit the Fee-simple and Inheritance of all such Lands, &c. not register'd, or fraudulently register'd, of which he, or any in Trust for him, was seised at the Time of such Default or Fraud in registering, and the full Value of the Inheritance of all such Lands, &c. not, or fraudulently register'd, as aforesaid, whereof he, or any in Trust for him, was not seised in Fee-simple at the Time of such Default or Fraud, two Thirds to the King, and the other to such Person being a Protestant, as will sue for the same at Common Law in any the Courts at *Westminster*, by such Action, &c. or other Process, as shall be proper, according to the Nature of the Case, and the Thing sued for; or in the Chancery: And the Person suing in Chancery shall be entitled to demand all such

Discoveries as he might do if he were a Purchaser for a valuable Consideration, of the Estate so sued for; and to demand a Discovery from all Persons, of all Incumbrances and Titles any Ways affecting the same, and of all Trusts relating thereto; to which Bill no Plea or Demurrer shall be allowed, but the Defendant shall sufficiently answer the same at large: And the Person so suing for any such real Estate, may bring an Ejectment for the same upon his own Demise, and give this Act and the Special Matter in Evidence; and if it shall appear on Trial of such Ejectment, that the Estate sued for is the Estate of the Person so neglecting to register or fraudulently registering, and the Defendant shall not make it appear that he took the said Oaths, and repeated and subscribed the said Declaration, in manner aforesaid, or that he registred his Name and the Estate sued for, a Verdict shall be given for the Lessor of the Plaintiff in such Ejectment, and Judgment shall be had thereon as is usual on Verdicts in Ejectments, and the Lessor of the Plaintiff shall have Costs of Suit; and by such Judgment two Third Parts of the Lands, &c. so recovered, shall be vested in the King, and the other Third in the Lessor of the Plaintiff in the said Ejectment.

II. *Seff.* 2. If any Person so required to take the said Oaths, &c. or to make such Register as aforesaid, shall be beyond the Seas on the 18th of June, 1716, such Person may take the Oaths, &c. on or before the 20th of May, 1717, or in Default thereof, may register their Names, &c. within six Months after the said 20th of May, which shall be as good and effectual as it would have been if such Person had taken the said Oaths, &c. before the 20th of January, 1716.

III. *Seff.* 3. In Case such Person so making Default, or committing Fraud in registering, shall, before Conviction, or any Ejectment or Suit brought for such forfeited Lands, &c. *bona fide*, and for a valuable Consideration, convey over, or grant or incumber any such Lands, &c. then the Persons so purchasing, &c. or having such Incumbrance, not knowing at the Time of the said Purchase, &c. the Offender to be within the Description of this Act, shall not be prejudiced, nor his Interest in the said Lands, &c. impeached, by Reason of such Forfeiture as aforesaid, but the Offender shall forfeit the Value of the said Lands, &c. to be distributed and recovered, as before.

IV. *Seff.* 4. This Act shall not extend to compel any Person to register any Lands, &c. till he, or his Trustees, have been actually seised, and have Notice thereof, or possessed of the Rents, for the Space of six Months.

V. *Seff.* 5. Nor shall it compel any Person to register any Lands, &c. whereof he shall be only Farmer, or Tenant at a Rack-Rent, or shall hold by Lease, whereon two Thirds of the full yearly Value are reserved.

VI. *Stat.* 6. Nor shall it extend to prejudice any Protestant or other Creditor, who hath any Charge or Incumbrance on any real Estate hereby directed to be register'd; but the Person so making Default, or committing any Fraud in registering, shall forfeit the Value of such Charge or Incumbrance, one third Part to the Person who will sue for the same, the other two Thirds to the Crown.

VII. *Stat.* 7. No Person in the *East* or *West-Indies*, or in *America*, shall be compelled to take the said Oaths, &c. and register, &c. as aforesaid, at the Time within mentioned, but shall have twelve Months longer than the Times allowed to Persons beyond the Seas.

VIII. *Stat.* 3 G. c. 18. *Stat.* 1. After reciting the foregoing Act, it is enacted, That the Times for Papists to register their Names and real Estates be enlarged to the 20th of *October*, 1717.

IX. *Stat.* 2. No Action or Suit for any Forfeiture contained in the foregoing Act, for refusing to register, or for any Fraud in such Registry, shall be commenced after two Years after the Offence committed.

X. *Stat.* 3. Where any Manors, or other Lands, or entire Farms, lie in more Counties than one, the Registering of such Manors, &c. in the County only where the Mansion-house, &c. doth lie, and not in several Counties, taking Notice thereof in the said Registry, that the same do extend to such other County, shall be a sufficient Register of such entire Manors, Farms or Lands, within the Meaning of the said recited Act.

XI. *Stat.* 4. No Sale for a full and valuable Consideration, of any Manors, &c. or of any Interest therein, by Persons being reputed Owners, or in Possession of the Rents and Profits thereof, heretofore made or hereafter to be made, for Protestant Purchasers, and only for the Benefit of Protestants, shall be avoided for any of the Disabilities or Incapacities, mentioned in the Act 11 G. 12 W. 3 c. 4. or in the Act 1 J. 1 c. 4. or other Acts made against Papists, incurred by any of the Persons making or joining in such Sale, or by any others through whom the Title to such Manors, &c. or any Interest therein is derived, unless before such Sale the Person intitled to take Advantage of such Disability, shall have recovered such Manors, &c. or given Notice of his Claim to such Purchaser, or before the Contract for such Sale shall have claimed the said Manors, &c. by Reason of such Disability, and have enter'd his Claim in open Court at the General Sessions of the Peace for the County, &c. where such Manors, &c. lie, and *bona fide*, and with due Diligence, pursued his Remedy in a proper Court of Justice for the Recovery thereof.

XII. *Señ. 5.* Provided, That the Clause in the said Act 11 & 12 W. 3. c. 4. by which Papists are disabled from purchasing any Manors, &c. shall not be hereby altered or repealed.

XIII. *Señ. 6.* After the 19th of September, 1717, No Manors, Lands, &c. or any Interest therein, or Rent or Profit thereof, shall pass from any Papist by any Deed or Will; except such Deed within six Months after Date, and such Will within six Months after the Testator's Death, be inrolled in one of the Courts of Record at Westminster, or in the same County where such Manors, &c. lie, by the *Custos Rotulorum*, and two Justices, and the Clerk of the Peace, or two of them at least, whereof the said Clerk to be one.

Pardon.

I. Stat. 3 G. c. 19. *An Act for the King's most Gracious, General, and Free Pardon.* *Señ. 1.* All his Majesty's Subjects, as well Spiritual as Temporal, of the Realm of Great Britain, their Heirs, Successors and Administrators, and all Bodies Politick and Corporate, and their Successors, and all Cities, Boroughs, Shires, Stewartries, &c. shall be by Authority of this Parliament, acquitted, pardoned, released and discharged, against the King, his Heirs and Successors, from all Treasons, Misprisions of Treasons, Felonies, treasonable and seditious Words or Libels, Leasing-making, Misprisions of Felony, seditious and unlawful Meetings and Conventicles, and all Offences of *Præmunire*; and also from all Riots, Routs, Offences, Contempts, Trespasses, Entries, Wrongs, Deceits, Misdemeanors, Forfeitures, Penalties and Sums of Money, Pains of Death, Pains corporal and pecuniary, and generally from all other Things, Causes, Quarrels, Suits, Judgments and Executions, in this present Act not excepted, which have been committed, incurred or forfeited before the 6th of May, 1717.

II. *Señ. 2.* His Majesty's free Pardon shall be as effectual in Law to every of his said Subjects, for all Things aforesaid, not hereafter particularly excepted, as it should have been, if all such Offences had been particularly specified by express Words and Names. And his said Subjects, their Heirs, &c. and the said Bodies Corporate, &c. shall not be sued or inquieted, in their Bodies, Goods, &c. for any Matter, &c. done or omitted before the said 6th of May, against the Crown, or the Laws of this Realm, but only for such Causes as are excepted in this Act.

III. *Señ. 3.* The King's Majesty doth grant and freely give to every of his Subjects before rehearsed, all Goods, &c. by any of them forfeited, by Reason of any Offence, &c. by them com-

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committed before the said 6th of May, 1717, and not excepted in this Act.

IV. *Seff.* 4. All Grants thereof, made by any such as have forfeited, and are hereby restored, and all Executions thereof, had against any such, after such Forfeiture made, shall be of such Force, as if no such Forfeiture had been made.

V. *Seff.* 5. All his Majesty's Subjects, and all Bodies Corporate, &c. before rehearsed, may, by themselves, their Deputies or Attorneys, plead this Act for their Discharge; for any Thing by this Act pardoned, &c. without any Fee for writing or entering the Judgments, or other Cause, concerning such Plea, &c. but only 16*d.* to the Clerk or Officer who shall enter such Plea.

VI. *Seff.* 6. This free Pardon shall be expounded in his Majesty's Courts, and elsewhere, most beneficial and available to the Subject, in all Things not herein excepted, without any Ambiguity or other Delay whatsoever to be made by the King, his Heirs or Successors, or by their Attorney-General, &c.

Excepted out of this Act, viz.

VII. *Seff.* 7. All such as are on the said 6th of May, 1717, in the Service of the Pretender.

VIII. *Seff.* 8. All Persons who levy'd the War against his Majesty, which began in this Realm in the Year 1715, who have been since beyond the Seas, and have, before the said 6th of May, 1717, returned into Great Britain or Ireland; without his Majesty's Licence, or shall after the said 6th of May, return into either of the said Kingdoms without such Licence.

IX. *Seff.* 9. All Treasons committed contrary to the Act 3*d.* c. 14. intituled, *An Act to prevent all traiterous Correspondence with her Majesty's Enemies.*

X. *Seff.* 10. All Violations of the Privileges of Embassadors, &c.

XI. *Seff.* 11. All voluntary Murders, Petit Treasons, wilful Poisonings, Slaughters of fore-thought Felony, wilful Burning of Houses, or Stacks of Corn, or Barns with Corn in them; and all Accessaries to any of the same Offences.

XII. *Seff.* 12. All Piracies and Robberies on the Seas, and every procuring or abetting such Offenders, and the receiving of them, or any Goods taken by Piracy.

XIII. *Seff.* 13. All Offences in deserting his Majesty's Service in the Army, committed against the Acts 1*st.* G. c. 9. and 3*rd.* G. c. 2. other than such Offenders as before the 10th of September next, shall return to the Troop or Company to which they did belong.

XIV. *Señ. 14.* All Offences of levying War against his Majesty, High Treason, unlawful Correspondence with his Majesty's Enemies, committed since his Majesty's Accession to the Throne, until the 6th of May, by any military Commission-Officer.

XV. *Señ. 15.* All Burglaries, Robberies of Churches, and on the Highway.

XVI. *Señ. 16.* The detestable Vices of Sodomy and Buggery.

XVII. *Señ. 17.* All Rapes, and carnal Ravishments of Women.

XVIII. *Señ. 18.* Perjury and Subornation of Witnesses, forging or counterfeiting any Writings whatsoever, and the Solicitation thereof.

XIX. *Señ. 19.* Forging Exchequer-Bills, and tendring them in Payment, or demanding Money thereon, (knowing the same to be forged) forging the Common Seal of the Bank of England, or any sealed Bank-Bill, or any Note signed for the Bank, or altering and rasing any Indorsement, &c.

XX. *Señ. 20.* Counterfeiting Seamens Tickets, and publishing counterfeit Tickets as true ones, knowing them to be so.

XXI. *Señ. 21.* All Offences committed since his Majesty's Accession, against the Añ 25 C. 2. c. 2. *For preventing Dangers which may happen from Popish Recusants*; and against the Añ 30 C. 2. c. 1. *Stat. 2. For the more effectual Preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.*

XXII. *Señ. 22.* Also all Offences against the Añ 13 W. 3. c. 6. *For the farther Security of his Majesty's Person, &c.* and against 1 A. c. 22. and 1 G. c. 13. and all Forfeitures, &c. to which any Person is liable by Reason of any Offences committed against any of the said Añs.

XXIII. *Señ. 23.* All Offences contrary to any Añ of Parliament (other than using any Trade by a Person not brought up therein as an Apprentice) or contrary to the Laws of this Realm, for which any Person hath been or shall be so far prosecuted, that by the 15th of July, 1717, any Verdict hath been, or shall be obtained on such Prosecution; or any Outlawry, Conviction, Judgment by Default, or other Judgment, Sentence or Decree, given or enter'd in any of his Majesty's Courts, or before any Commissioners in this Realm, or by the Commissioners of Excise, &c. subject to the Clause herein contain'd for pardoning the Imprisonment and Execution of certain Persons, attainted for High Treason on the 5th of May, 1717, Nevertheless no such Offences, (not being capital) shall be pardoned by this Añ, but are excepted out of it, for which any Action, &c. before the last Day of Trinity-Term, 1717, shall be commenced, and then depending, though

though no Outlawry, &c. shall on the said 15th of July, be obtained on the same; and which have been prosecuted at the Charge of any private Person, unless the Defendant pay to the Prosecutor such Costs, as the Court where such Prosecution shall be, shall award.

XXIV. *Seff.* 24. Provided, If any Person shall have committed Treason, by levying War against the King, in the Rebellion which began in the Year 1715, in this Realm, who at the Time of such Treason committed, or since, was possessed of any civil Office for Life, or for any Estate of Inheritance, granted by the King, or any of his Predecessors, or claimed under such Grant; or to any Office in any City, &c. and shall claim to enjoy such Office, it shall be lawful to proceed against such for High Treason, as if this Act had not been made.

XXV. *Seff.* 25. Except also the Clan of *Mac-Gregour* mentioned and intended in and by an Act passed in *Scotland* in the first Parliament of C. 1. intituled, *Anent the Clan Gregour*, &c.

XXVI. *Seff.* 26. All Offences concerning Highways or Bridges, and all Indictments and other Proceedings concerning the same.

XXVII. *Seff.* 27. All Offences in taking away or purloining the King's Goods, Armour, Munition, Stores, &c. and all Issues returned on any Process concerning the same.

XXVIII. *Seff.* 28. All Conditions and Covenants, and all Penalties and Forfeitures thereof, accrued to the King.

XXIX. *Seff.* 29. All Offences, &c. done by any Officer of the Exchequer or Revenue, in the Execution of his Office, and all Forfeitures, &c. to which any such Officer is liable by such Offence, &c. and all Suits and Prosecutions by Reason thereof.

XXX. *Seff.* 30. All Titles, Suits, and Actions of *Quare Impedit*.

XXXI. *Seff.* 31. All Offences of Incest, Simony, and Dilapidations, and all Proceedings thereon.

XXXII. *Seff.* 32. All First-fruits, Tenths, Pensions, Procurations, Synodals, &c. and all Arrears of the same.

XXXIII. *Seff.* 33. All Sums of Money and Duties arising by any Customs, Subsidies, Excise, &c. due to the King, and all Arrears, Concealments, and wrongful Detainment thereof, and all Penalties, &c. arising thereby; and all Corruptions and Misdemeanors of any Officers in the same; and all Accounts and Suits depending, or to be prosecuted, and all Frauds by which his Majesty, or the late Queen hath been deceived, and not truly answered for the same.

XXXIV. *Seff.* 34. All Offences, Penalties, &c. relating to the Exportation of Wool, or the Importation of Brandy in any Vessel

Vessel not containing sixty Gallons, and all Prosecutions for the same.

XXXV. *Stat.* 35. All Offences committed by Persons in taking and converting to their own Use, any Goods, Chattels, Rents, and Profits of Lands belonging to the Crown.

XXXVI. *Stat.* 36. All Arrears of Rent due from any Farmer or Tacksmen of the publick Revenue, and of Fee-farm, and other Rents.

XXXVII. *Stat.* 37. All Accounts of Collectors, Treasurers, Receivers, &c. of any Part of the publick Revenue; and of every other Person that ought to be accountant to the King, their Sureties, Heirs, &c.

XXXVIII. *Stat.* 38. All Recognizances, &c. enter'd into by any Receiver of any Land-Tax, and other Duties payable to his Majesty, by Act of Parliament, or otherwise, or by any Reeve, &c. or other Accountant in either of the Courts of Exchequer in *England* or *Scotland*; and all other Recognizances conditioned for Payment of Money, and all other Obligations enter'd into by any Officers, or their Sureties, for the due Discharge of their Trusts.

XXXIX. *Stat.* 39. This Act shall not extend to discharge any Recognizance or Obligation not yet forfeited, nor any forfeited Recognizance, &c. or other Forfeiture or Penalty, whereof any Farmers or Tacksmen of the Revenue ought to receive Benefit; nor to pardon any Debt due by Recognizance, &c. to any Person indebted to the Crown, which hath been seized in Aid of the Crown's Debt; nor any Debt whereon any Estalment or Seizure has been made, upon which any Thing is, or, since the 19th of *April*, 1709, hath been paid; nor to discharge any Forfeitures, &c. due by any Statute; which Forfeitures, &c. are converted into the Nature of any Debt by Judgment, Order or Decree, or by the Agreement of the Offenders, or have been estalled, or any Seizure made for them upon which any Thing has been paid since the said 19th of *April*, 1709; nor to extend to any Recognizance forfeited on Account of any Matter, excepted out of this Pardon.

XL. *Stat.* 40. Excepted out of this Pardon all Fines, lost or assessed since the said 19th of *April*, 1709, which have been totted or received by any Sheriff or other Officer, who are to account for the Year ending at *Michaelmas* next ensuing, at any Time before they shall finish their Accounts.

XLI. *Stat.* 41. Also all Fines *pro licentia concordandi*, and all such Issues, &c. above 6*l.* which have been lost, &c. and have been assessed, taxed, estreated or enter'd since the said 19th of *April*, 1709.

XLII. *Stat.* 42. All Issues, Fines and Amerciaments, return'd or enter'd in any Court of Record since the 6th of *May*, 1715.

XLIII.

XLIII. *Señ.* 43. Nevertheless all Estreats of such Fines, &c. as be pardoned by this Act, and already estreated forth of the Exchequers of England or Scotland, and remaining in the Hands of Sheriffs, &c. shall, on the Return of the said Estreats, be duly charged and delivered by Scrows into the Pipe-Office of the said Exchequers, that the Crown may be truly answer'd all such Fines, &c. not hereby pardoned, which any Sheriff, &c. has received: Yet all Sheriffs, &c. on their Petition for the Allowance of any such Fines, &c. by this Act pardoned, shall have such their Petitions allowed without Fee.

XLIV. *Señ.* 44. Provided, That this Act shall not restore any Capacity to hold any Office, &c. to any Person who by any Act whatsoever is made incapable to hold or execute the same.

XLV. *Señ.* 45. Also excepted all such Persons as on the 5th of May, 1717, be attainted for High Treason, and all Executions and Forfeitures therefore: Nevertheless all Persons so attainted, (other than by Act of Parliament wherein they are specially named, which Persons are not intended to be pardoned in any Degree) who have not escaped out of Prison, are freely pardoned from Imprisonment and Execution of their Persons on such Attainders.

XLVI. *Señ.* 46. All Contempts in not appearing of any Persons, according as they were appointed to do by Letters issued in Pursuance of the Act 1 G. c. 20. *For encouraging all Superiors, Vassals, &c.* and the Forfeitures of single and Life-Rent Escheat incurred thereby: Nevertheless the Sum of 500 l. and the Year's Imprisonment, mentioned in the said Act, are hereby remitted.

XLVII. *Señ.* 47. All Persons, who being in actual Custody, have desired to be transported.

XLVIII. *Señ.* 48. All Offences committed by any Jesuits, Seminary, or other Romish Priests, against the Statute 27 El. c. 2. intituled, *An Act against Jesuits, Seminary Priests, and other such like disobedient Persons*, and all Outlawries, &c. for the same Offences; and all Convictions for Recusancy, and all Forfeitures of Estates real and personal, given for superstitious Uses, mentioned in the Act 1 G. c. 50. *For appointing Commissioners to enquire of the Estates of certain Traitors, &c.*

XLIX. *Señ.* 49. All Offences contrary to the Act 1 G. c. 55. *to oblige Papists to register their Names and real Estates.*

L. *Señ.* 50. All Contempts in Causes depending in any Court of Law or Equity, before the last Day of Trinity-Term, 1717, or for Non-performance of Awards, or Non-payment of Costs awarded by such Courts before the said 6th of May, 1717; and all Proceedings on such Contempts, and Securities taken thereon; and all Usurpations and Forfeitures of Franchises or Offices, for which any Prosecution hath been begun since

since the 6th of May, 1715, and is depending the 6th of May, 1717.

LI. *Seß.* 51. All Contempts in Ecclesiastical Courts, for such Causes only as have been commenced for Matters of Right, and not for Correction; and all Contempts in any Court of Admiralty, proceeding civilly, and not criminally:

LII. *Seß.* 52. All such Persons who have been impeached in Parliament before the said 6th of May, 1717, whose Impeachments on the 15th of July, 1717, remain undetermined.

LIII. *Seß.* 53. And also excepted *Roberts Earl of Oxford* and *Earl Mortimer*, *Simon Lord Harcourt*, *Matthew Prior*, *Thomas Harley*, *Arthur Moor*, *James Duke Crispe*, *Butler Nodes*, *Daniel Obryan*, *William Redmayne*, and *Robert Thomson*, late Factor to the Viscount *Arbuthnot*.

LIV. *Seß.* 54. This Act shall not extend to discharge *Robert Blackburn*, and others mentioned in the Act of 1 G. c. 7. but they may be detained in Custody, without Bail or Mainprize, during his Majesty's Pleasure.

LV. *Seß.* 55. No Process of Outlawry, &c. at the Suit of any Person Plaintiff, shall be stay'd or avoided by Vertue of this Pardon, unless the Defendant appear and put in Bail, and take out a *Scire Facias* against the Party at whose Suit he was outlaw'd; nor shall this Pardon discharge any Outlawry after Judgment till Satisfaction be made to the Party at whose Suit it was obtain'd.

LVI. *Seß.* 56. All Persons hereby pardoned may plead the General Issue, and give this Act in Evidence for their Discharge, &c.

LVII. *Seß.* 57. This present Pardon shall be of as good Force and Effect to discharge all the Premises above-mentioned, as well against all such Persons, &c. as claim the same by Letters Patents, &c. of his Majesty, &c. as against the King himself.

Parliament.

I. Stat. 1 G. c. 38. *Seß.* 1. Reciting, That whereas by the Act 6 W. & M. c. 2. it was enacted, That no Parliament should from thenceforth have Continuance longer than for three Years at farthest; and that whereas it hath been found by Experience, that the said Clause has proved very grievous and burthensome, by occasioning greater Expences in Order to Election of Members, and more violent and lasting Heats and Animosities among the Subjects, than were ever known before the said Clause was enacted; and if the said Provision should continue, it might probably at this Juncture, when a restless and popish Faction are endeavouring to renew the Rebellion

within

within this Kingdom, and an Invasion from abroad, be destructive to the Peace and Security of the Government; therefore enacted, That this present Parliament, and all Parliaments that shall hereafter be called, assembled or held, shall have Continuance for seven Years and no longer, to be computed from the Day on which by the Writ of Summons this present Parliament hath been, or any future Parliament shall be, appointed to meet, unless this present, or any such Parliament hereafter to be summoned, shall be sooner dissolved by his Majesty, &c.

II. Stat. 1 G. c. 56. Sect. 1. Enacted, That no Person, having any Pension from the Crown, for any Term or Number of Years, either in his own Name, or in the Name of any other Person in Trust for him, or for his Benefit, shall be capable of being elected, or chosen a Member of, or for sitting or voting as a Member of this present or any future House of Commons which shall be hereafter summoned.

III. Sect. 2. If any Person, who shall have such Pension at the Time of his being so elected, or at any Time after during such Time as he shall continue to be a Member of the House of Commons, shall presume to sit or vote in that House; in such Case he shall forfeit 20*l.* for every Day in which he shall so sit or vote there, to him who shall sue for the same in any of the Courts at *Westminster*; and the Moneys so forfeited shall be recovered by the Person so suing, with full Costs of Suit, by Action of Debt, &c.

Piracy.

I. Stat. 1 G. c. 25. Sect. 17. The Act of 11 W. 3. c. 7. For the more effectual Suppressing of Piracy, [See Vol. 3. under this Title] which by the Act of 5 A. c. 34. was continued for seven Years, and from thence to the End of the next Session of Parliament, shall after the 29th of *September* next ensuing, be revived and in Force, during the Continuance of this Act.

II Sect. 18. This Act shall be in Force for five Years, and from thence to the End of the next Session of Parliament, and no longer.

III. Stat. 4 G. c. 11. Sect. 7. All Persons who have committed, or shall commit any Offences for which they ought to be adjudged Pirates by the Act 11 & 12 W. 3. c. 7. may be tried for every such Offence in such Manner as by the Act 28 H. 8. c. 15. is directed for the Trial of Pirates; and shall be utterly debarred from the Benefit of Clergy for the said Offences.

IV. *Seff. 8.* This Act shall not extend to Persons convicted or attainted in *Scotland*.

V. *Seff. 9.* This Act shall extend to his Majesty's Dominions in *America*, and be taken as a publick Act.

1802.

I. *Stat. 1 G. c. 8. Seff. 1.* Enacted, That it shall be lawful for the Church-wardens or Overseers of any Parish where any Wife, Child or Children shall be left by their Husbands, Fathers or Mothers on the Charge of such Parish where they were born, or last legally settled, upon Application to, and by Warrant or Order from, any two Justices of the Peace, to take and seize so much of the Goods and Chattels, and receive so much of the annual Rents and Profits of the Lands and Tenements of such Husband, Father or Mother, as such two Justices shall direct, for the Discharge of the Parish where such Wife, Child or Children are left, for the bringing up and providing for such Wife, &c. Which Warrant or Order being confirmed at the next Quarter-Sessions, the Justices at such Quarter-Sessions may make an Order to dispose of such Goods or Chattels by Sale, or otherwise, or so much of them as the Court shall think fit, for the Purposes aforesaid, and to receive the Rents and Profits, or so much of them as shall be ordered by the Sessions, of his or her Lands and Tenements, for the Purposes aforesaid.

II. *Seff. 2.* The Church-wardens and Overseers shall be accountable to the Justices at the Quarter-Sessions for all such Monies as they shall receive by Vertue of this Act.

Pretender.

I. *Stat. 1 G. Stat. 1. c. 1. Seff. 9.* The Lord High Treasurer of *Great Britain*, &c. are authorized and required, out of any Monies granted by Parliament for the Use of the Publick; forthwith to issue and pay the Sum of 100,000*l.* to any Person who shall seize and secure the Person of the Pretender, whenever he shall land, or attempt to land, in any of his Majesty's Dominions.

II. *Stat. 1 G. c. 13. Seff. 28.* The like Clause as before to empower the Treasury to pay 100,000*l.* to any Person, Native or Foreigner, who shall seize, alive or dead, the Person of the Pretender, whenever he shall land, &c. as before. And if any of the Persons, who have adhered to or assisted, or shall adhere

to or assist, the said Pretender, shall seize and secure him as aforesaid, he or they shall have his Majesty's gracious general Pardon, and also receive the said Reward, to be paid as aforesaid.

III. *Señ. 29.* In Case any Person or Persons shall happen to be killed in securing the said Pretender, alive or dead, as aforesaid, then their Executors or Administrators, &c. shall receive respectively the same Share and Proportion of the said 100,000 *l.* as their respective Testators or Intestates would have been entitled to, had they been living.

Quakers.

I. *Stat. 1 G. c. 6. Señ. 1.* Enacted, That the Act 7 & 8 W. 3. c. 34. That the solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in the usual Form; which was continued by the Act 13 W. 3. c. 4. and all the Clauses and Powers therein, shall be continued and in Force for ever, as to all Oaths by Law required, or hereafter to be required, except as in the said first Act is excepted.

II. *Señ. 2.* The Remedy provided by the said Act of 7 W. 3. for the Recovery of Tithes and Church-Rates, shall be extended and may be used against any Quaker for the recovering of any Tithes or Rates, or any customary or other Rights, &c. belonging to any Church or Chapel, which by Law and Custom ought to be paid for the Stipend and Maintenance of any Minister, &c. and any two Justices of Peace of the Place, other than the Patron of any such Church, &c. or any Ways interested in the said Tithes, &c. on Complaint of any Parson, &c. are to summon in Writing under their Hands and Seals; by reasonable Warning, such Quaker against whom such Complaint shall be made, and after his Appearance, or in Default thereof, the said Summons being proved upon Oath, to proceed to hear and determine the said Complaint, and to make such Order therein, as in the said Act is directed; and also to order such Costs and Charges as they shall think reasonable, not exceeding 10 *l.* as upon the Merits of the Cause shall appear just; which Order shall be so executed, and on Appeal to the Quarter-Sessions may be reversed or affirmed, and shall not be removed into any other Court, unless the Title of such Tithes, &c. shall be in Question, as in the said Act is provided.

III. *Señ. 3.* In all Cases where the Effect of the Abjuration-Oath may be legally tender'd to Quakers, they shall take the Effect thereof in the following Words, *viz.*

I A. B. do truly and sincerely acknowledge, profess, testify, and declare, in the Presence of Almighty God, the Witness of the Truth of what I say, That King George is lawful and rightful King of this Realm, and all other his Dominions and Countries thereunto belonging. And I do solemnly and sincerely declare, That I do believe the Person pretended to be the Prince of Wales, during the Life of the late King James, and since his Decease, pretending to be, and taking upon himself the Stile and Title of King of England, by the Name of James the Third, or of Scotland, by the Name of James the Eighth, or the Stile and Title of King of Great Britain, hath no any Right or Title whatsoever to the Crown of this Realm, nor any other the Dominions thereunto belonging: And I do renounce and refuse any Allegiance or Obedience to him. And I do solemnly Promise, That I will be true and faithful, and bear true Allegiance to King George, and to him will be faithful against all traiterous Conspiracies and Attempts whatsoever, which shall be made against his Person, Crown, or Dignity. And I will do my best Endeavour to disclose and make known to King George, and his Successors, all Treasons and traiterous Conspiracies which I shall know to be made against him, or any of them. And I will be true and faithful to the Succession of the Crown against him the said James, and all other Persons whatsoever, as the same is and stands settled by an Act, intituled, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown, to the late Queen Anne, and the Heirs of her Body, being Protestants; and as the same, by another Act, intituled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, is and stands settled and intailed, after the Decease of the said late Queen, and for Default of Issue of the said late Queen, to the late Princess Sophia, Electress and Dutchesse Dowager of Hanover, and the Heirs of her Body, being Protestants. And all these Things I do plainly and sincerely Acknowledge, Promise, and declare, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, Mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Renunciation, and Promise, heartily, willingly and truly.

IV. Sect. 4. So much of this Act as relates to the Affirmation to be made by Quakers, shall be extended to Scotland forever, and to the Plantations for five Years, and from thence to the End of the next Session of Parliament, and no longer.

Religion.

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Religion.

I. Stat. 5 G. c. 4. Sess. 1. Whereas an Act was made to A. c. 2. For preserving the Protestant Religion, by better securing the Church of England as by Law established, and for confirming the Toleration granted to Protestant Dissenters, &c. And whereas Part of the said Act, and also another Act herein after mentioned, have been found to be inconvenient: Therefore enacted, That the said Act of 10 A. from the Beginning thereof, to the Words [And it is hereby further enacted and declared by the Authority aforesaid, That the Toleration granted to Protestant Dissenters,] and also the Act 12 A. Sess. 2. c. 7. To prevent the Growth of Schism, and for the further Security of the Churches of England and Ireland, as by Law established, shall be repealed, annulled, and made void.

II. Sess. 2. If any Mayor, Bailiff, or other Magistrate, shall knowingly or wilfully resort to, or be present at, any publick Meeting for religious Worship, other than the Church of England, as by Law established, in the Gown or other peculiar Habit of, or attended with the Ensigns belonging to such his Office, every such Mayor, &c. being thereof convicted by due Course of Law, shall be disabled to hold such Office, and be adjudged incapable to bear any publick Office or Employment whatsoever, in England, Wales, and Town of Berwick, or Isles of Jersey and Guernsey.

Riot.

I. Stat. 1 G. c. 5. Sess. 1. Enacted, That if any Persons, to the Number of Twelve, or more, being unlawfully assembled, to the Disturbance of the Publick Peace, after the last Day of July, 1715, and being required or commanded by one or more Justices of the Peace, or by the Sheriff of the County, or his Under-Sheriff, or by the Mayor, &c. of any City, &c. by Proclamation in the King's Name, in the Form hereafter directed, to disperse themselves, and depart to their Habitations or lawful Business, shall riotously continue together by the Space of one Hour, after such Command by Proclamation, then such Continuing together to the Number aforesaid, shall be adjudged Felony without Benefit of Clergy.

II. Sess. 2. The Order and Form of the Proclamation shall be in Manner following, viz. The Justice of Peace, &c. shall, among the Rioters, or as near to them as he can safely come,

command Silence, or cause it to be commanded, while Proclamation is making, and then shall openly make Proclamation, or cause it to be made, in these Words, or like in Effect:

Our Sovereign Lord the King doth commandeth all Persons, being assembled, immediately to disperse themselves, and peaceably depart to their Habitations, or to their lawful Business, upon the Pain contained in the Act made in the first Year of King George, for preventing Tumults and riotous Assemblies.

God save the King.

And every such Justice, &c. within the Limits of their respective Jurisdictions, on Notice or Knowledge of such unlawful Assembly, is to resort to the Place, and there make Proclamation in Manner aforesaid.

III. Sect. 3. If such Persons so unlawfully assembled, shall, after Proclamation made, not disperse themselves within one Hour, then it shall be lawful for every Justice, Sheriff, &c. and for every High or Petty Constable, or other Peace Officer, and for such other Persons as shall be commanded to be assisting to such Justice, &c. (who are hereby empowered to command all his Majesty's Subjects, of Age and Ability, to be assisting to them therein) to seize such Persons, and carry them before a Justice of the Peace, in Order to their being proceeded against according to Law: And if such Persons shall happen to be killed, maimed or hurt, by Reason of their Resisting the Persons so dispersing or seizing them, such Justice, &c. shall be indemnified, as well against the King, as against all other Persons.

IV. Sect. 4. If any such Persons so riotously assembled, shall unlawfully demolish or pull down, or begin to demolish or pull down, any Church or Chapel, or any Building for religious Worship, certified and register'd according to the Act 12. & 13. Ch. 2. for any Dwelling-house, Barn, Stable, or other Out-house, it shall be adjudged Felony without Benefit of Clergy.

V. Sect. 5. If any Person shall with Force oppose, obstruct, or in any Manner wilfully hinder or hurt any Person who shall begin to proclaim, whereby such Proclamation shall not be made, such Offenders shall be adjudged Felons, and suffer as such, without Benefit of Clergy: And all Persons so unlawfully assembled to the Number of twelve, or more, as aforesaid, to whom Proclamation ought to have been made, if the same had not been hinder'd, shall, if they continue together an Hour after such Hindrance, knowing thereof, be adjudged Felons, and suffer Death without Benefit of Clergy.

VI. *Sec. 6.* If after the last Day of July, 1715, any Church, Chapel, &c. shall be demolished wholly, or in Part, by any Persons so riotously assembled, then, in Case such Church, &c. be out of any City or Town, that is either a County of itself, or not within any Hundred, the Inhabitants of the Hundred in which such Damage shall be done, shall yield Damages to the Persons damnified by such Demolition; which Damages may be recovered by Action in any Court at Westminster, against any two or more of the Inhabitants of such Hundred; such Action for Damages to any Church, &c. to be brought in the Name of the Rector, &c. in Trust for rebuilding and repairing such Church, &c. And the Judgment being given for the Plaintiff in such Action, the Damages recovered shall, at the Request of such Plaintiff, his Executors, &c. be levied on the Inhabitants of such Hundred, and paid to such Plaintiff in such Manner, and by such Ways and Means, as are provided by the Act 27 Eliz. c. 13. for reimbursing the Persons on whom any Money recovered against any Hundred, by any Party robbed, shall be levied: And if such Church, &c. shall be in any City or Town, that is either a County of itself, or is not within any Hundred, then such Damages shall be recovered in Manner aforesaid against two or more Inhabitants of such City or Town.

VII. *Sec. 7.* This Act shall be openly read at every Sessions, and at every Leet or Law-Day.

VIII. *Sec. 8.* No Person shall be prosecuted for any Offence contrary to this Act, unless Prosecution be commenced within twelve Months after the Offence committed.

IX. *Sec. 9.* Sheriffs, Stewarts, Bailiffs of Regalities, and the Deputies of all of them, Magistrates of Royal Boroughs, and all inferior Judges and Magistrates, and all High and Petty Constables, and other Peace-Officers in Scotland, shall have the same Powers for putting this Act in Execution there, as the Justices and other Magistrates aforesaid have for the other Parts of this Kingdom; and all Persons, who shall be convicted of the said Offences in Scotland, shall incur the Pain of Death, and Confiscation of Moveables: And all Prosecutions for the Damages of any Church, &c. that shall be demolished in Whole or in Part in Scotland, by any Persons riotously assembled, shall be recovered by summar Action, at the Instance of the Party aggrieved, his Heirs, &c. against the County, &c. where such Disorders shall happen, the Magistrates being summoned in the ordinary Form, and the several Counties and Stewartries called by Edictal Citation at the Market Cross of the Head-Borough of such County or Stewartry respectively, in general, without mentioning their Names and Designations.

X. *Señ. 10.* This Act shall extend to all Places for religious Worship in Scotland, which are tolerated by Law, and where King George, the Prince and Princess of Wales; and their Issue, are pray'd for in exprefs Words.

Rivers.

I. *Stat. 5 G. c. 31. Señ. 1.* Enacted, That the Act made 9 & 10 W. 3. c. 19. For cleansing and making navigable the Chaul from the Hythe at Colchester to Wivenhoe, and all the Powers, &c. therein contained, and not hereby alter'd, shall be continued from the first of May, 1719, to the first of May, 1740.

II. *Señ. 2.* The Duties granted and to be raised by Vertue of this Act, shall be one Moiety of the Duties granted by the said former Act, and shall be charged on all such Goods, &c. as are therein mentioned, and shall be raised in such Manner, by such Ways, and under such Penalties, as the Duties by the said former Act were appointed to be raised.

III. *Señ. 3.* This Act and the Duties hereby granted, and all the Clauses, &c. herein contained, shall be a Security in the first Place for the Repayment of such Sums of Money as are now due to the Executor of William Hewer, late of Clapham, in the County of Surrey, Esq; with the Interest thereof; and the Payment thereof shall have Preference to all other Payments by the said Act directed, the Charges of obtaining this Act being first excepted and foreprized.

IV. *Señ. 4.* The Mayor, Recorder, Aldermen and Town-Clerk of Colchester for the Time being, Sir Isaac Rebow, John London, Richard Du Cane, Edward Hopkins, Thomas Green, Samuel Reynolds Esqrs; Edward Wheely Gent. Capt. John Dynes, Captain Matthew Martin, George Martin Gent. John Colt, Lord of the Manor of Moswell; Benjamin Field, Lord of the Manor of Alford; Nicholas Corfellis, Lord of the Manor of Wyvenhoe; Mar-maduke Roydon, Lord of the Manor of Fingringhoe; Thomas Mathew, Steward of the said Manor, and their Successors, Lords of the said Manors, and the Steward of Fingringhoe, for the Time being; Benjamin Cook Senior, Benjamin Dyer, Thomas Bayles, John Blatch, Jeremiah Daniel, John Selley, Thomas Streaton, Daniel Day, Edward Jones, Benjamin Freeman, Cornelius Bogard, John Pegrum, Henry Walker, Samuel Todd, John Grimwood, and Barnaby Damman, shall be added to the Commissioners appointed by the said former Act, and are hereby vested with the same Powers, for the Purposes in this Act, as are vested in the said former Commissioners, as aforesaid.

V. *Señ. 5.* If any of the said Commissioners shall die, or remove out of the County of Essex for one whole Year, or refuse to act, the surviving Commissioners, or major Part of them,

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on three Day's Notice to be given in the publick Market-Place of *Colchester*, by the Cryer of the said Town, by Order of the Mayor, or on his Neglect for fourteen Days, then by Order of any five of the said Commissioners, may nominate such other Person living in the said County, to be Commissioner in the Room of him so dying, &c. as they shall think fit; which Person so nominated shall have the same Powers as if he had been named in this Act.

VI. *Seß. 6.* The Mayor and Commonalty of *Colchester*, with Consent of the Commissioners, or major Part, may engage the Profits arising by the Duties, and mortgage the same for any Term, not exceeding twenty-one Years, to any Persons, who will advance into the Hands of the Receiver-General of the Chancel-Duties, any Sum of Money for carrying on the said Work, for securing the Repayment thereof, with Interest at *5 l. per Cent. per Annum*; which Money so borrowed shall be apply'd for finishing the said Work: Such new Mortgage to be repaid after Satisfaction of the Mortgage due to the Executor of the said *William Hewer*.

VII. *Seß. 7.* If at any Time before the Expiration of the said twenty-one Years, sufficient Monies shall be raised for the Purposes aforesaid, and shall be so adjudged by the major Part of the Commissioners, then, after such Adjudication made, and after Repayment of all Moneys borrowed, with the Interest thereof, all the said Duties shall determine.

VIII. *Seß. 8.* All Ships and Vessels taking Ballast in the said River, shall be obliged to take the same of such Person as shall be appointed by the Commissioners; which Ballast shall be taken in the said Chancel, and not elsewhere, if the said Commissioners shall judge that good and sufficient Ballast may be gotten there: And the Masters of all such Ships shall pay such Money for the Purposes aforesaid as the Commissioners shall direct, not exceeding *6 d. per Tun*.

IX. *Seß. 9.* Provided, That if such Master or Person having Charge of any such Vessel, be desirous to take Ballast from any other Person or Place, it shall be lawful so to do, paying for the same *2 d. per Tun* to the Collector of the Chancel-Duty; and in Case of Default to take Ballast, or to pay for the same as aforesaid, every such Master, &c. shall forfeit *10 l.* to be applied for the Purposes aforesaid; to be recovered by any Person by Indictment at the Quarter-Sessions of *Colchester*, or by Action of Debt, &c. in the Town-Court of the said Borough, or in any Court of Record at *Westminster*, and the Plaintiff, upon Recovery shall have full Costs of Suit.

X. *Seß. 10.* It shall be lawful for the Mayor and Commonalty of *Colchester*, to make and use a Track-Path for one or more Horses from *Wyvernhoe* to the Hythe at *Colchester* on the one Side of the River, and from *Fingringhoe* to the said Hythe on the

other Side, first agreeing with the Proprietors of the Land for the same; and in Case any Proprietor shall refuse to agree, or through Disability by Nonage, Coverture, Special Inail, or other Impediment cannot, the Commissioners are impower'd to issue their Warrants to the Sheriff of *Essex* for impanelling and returning, and the said Sheriff is required, after an Attendance and hearing Objections of all Parties concern'd, or on Default of such Attendance upon a Summons from the said Sheriff for that Purpose, to impanel and return a Jury before the said Commissioners, at such Time and Place as shall be therein mentioned; to which Jury the Parties may have their Challenges; and the said Jury being sworn before the said Commissioners, shall enquire of and assess such Damages and Recompence as they shall think fit to be awarded to the Owners or Occupiers of any such Lands as shall be used or damaged by making the said Track-Paths; and the Commissioners shall give Judgment for such Sums so to be assessed by the Jurors; and shall by Examination of Witnesses upon Oath, and other lawful Ways, hear and determine all Controversies relating to the Premises; which said Verdicts, Judgments, and Decrees declared and pronounced by the said Commissioners, and the Prices and Recompences so to be assessed, Notice in Writing being first given of their Meeting, and of the Time and Place thereof, to the Guardian of such Minor, or other Party concerned, left at their Dwelling-house or usual Place of Abode, shall be binding to all Parties, and shall be kept amongst the Records of the Sessions of the Peace for the Town of *Colchester*, by the Recorder or Town Clerk, to be inspected without Fee; all which shall be taken and deemed good and sufficient Evidence in any Court of Record; and on Payment of the Money so decreed, or Tender thereof, and Refusal of the same, then on Payment of it into the Hands of such Persons as the Commissioners shall appoint, the Mayor, &c. of *Colchester*, their Workmen and Servants, may cause the said Track-Ways to be made, and shall be indemnified against the said Owners, &c.

XI. *Stat. 11.* In Case the Specifick Goods on which the said Duty shall arise, be carried away before the Duty is paid, then the said Mayor, &c. may sue for and recover such Duty of the Master of the Vessel from which such Goods shall be landed, or on which the same shall be loaded, by Action of Debt, &c. in any of the Courts at *Westminster*, and the Plaintiff on Recovery shall have full Costs.

XII. *Stat. 12.* All Goods landed or loaded at any Wharfs or Keys below the Town of *Wyvenhoe*, shall be liable to the Duties imposed by this Act, provided they pass through, go from, or come to *Colchester*, or any the Precincts of the same.

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XIII. *Seff.* 13. No Commissioner for putting this Act in Execution shall have or accept of any Place of Profit arising out of the said Duties, or farm any Key within the Limits of this Act, but such Person shall be incapable, from the Time of accepting such Office or farming such Key, of acting as a Commissioner.

XIV. *Seff.* 14. Thirteen Commissioners at the least shall be present at all Meetings, two of which are to be Justices of the Peace of the County of *Essex*.

XV. *Seff.* 15. This Act shall not extend to any Corn or Grain exported, loaded or Water-born, or imported, Water-born or landed at any of the Places aforesaid; but all such Corn or Grain shall be exempted from any Chancel-Duty imposed by this Act.

XVI. *Seff.* 16. All the Monies to be raised by this Act, shall be apply'd to the Purposes thereby directed.

XVII. *Seff.* 17. The Commissioners at their first and all subsequent Meetings shall defray their own Charges and Expences.

Sail-Cloth.

I. Stat. 5 G. c. 25. *Seff.* 2. Enacted, That the Act 12 A. *Seff.* 1. c. 16. intituled, *An Act for the better Encouragement of the making of Sail-Cloth in Great Britain*, which was to continue for seven Years, shall be continued and remain in full Force, for the Term of seven Years, and from thence to the End of the then next Session of Parliament.

Salt.

I Stat. 5 G. c. 18. *Pars inde.* *Seff.* 1. Enacted, That the present Allowances given by the Laws relating to the Duties on Salt upon the Exportation of Fish, shall not be paid for any Fish exported after the 24th of June, 1719; but the Curers of Fish shall from thenceforth be allowed to import foreign Salt, or take from any Salt-works any such Quantity of *British* Salt, where the same is allowed by Law, as they shall think proper for curing Fish for Foreign Markets, without paying any Duty for the same, except the Customs payable on the Importation thereof; such Foreign Salt being landed, and such *British* Salt being taken from the Salt-Pits, and weighed in the Presence of a Salt-Officer, and lodged in a Warehouse, under the Lock and Key of the said Officer and the Proprietor: Which Foreign

reign or *British* Salt, being so lodg'd shall remain in the joint Custody of the Officer and Proprietor, during the Intervals of the Fishing Seasons, the Proprietor entering at the next Salt-Office the Quantity so lodged, and the Officer keeping an Account of the respective Quantities of Foreign or *British* Salt, so enter'd and lodg'd in his Custody. At the Beginning of every Fishing Season, the Proprietor shall make Oath in Writing at the next Salt-Office, of the Quantity so lodg'd, and that all the said Salt is intended for curing of Fish for Exportation only, and that by his Order, Consent or Connivance, it shall not be sold, given away, or any Ways delivered, but for the Purposes aforesaid; after which Oath so made, and filed in the Salt-Office, the Officer shall deliver the Salt into the sole Custody of the Proprietor. And at the End of every Fishing Season the Salt-Officer shall take a particular Account of the Quantities of Foreign and *British* Salt respectively remaining in Hand, which shall be locked up in the joint Custody of the Officer and Proprietor: And the Proprietor shall, at the End of every Fishing Season, deliver an Account in Writing into the Salt-Office, of the Quantity of Fish exported, or enter'd and shipped to be exported, on which the Salt was consumed, together with Certificates by the proper Officers of the several Ports where the said Fish were shipped for Exportation, verifying the said Account; which Certificates the Officers are to give *gratis*: The said Account, deliver'd into the Office, shall be affirm'd by the Oath of the Proprietor, or his Agent who used the Salt, that the Quantity of Fish cured for Exportation, and of the Salt used in curing them, may appear on Oath, and be compared together: And in Case any of the Salt shall be delivered over to other Persons, and used by them in curing of Fish, the several Quantities thereof shall be expressed in the said Account; and each Person to whom such Salt shall be so delivered, or his Agent, shall likewise on Oath make another Account of the particular Quantity of the Salt used by each of them; which Account, with proper Certificates, shall likewise be delivered into the said Office, for the Purposes above-mentioned: But if such Proprietor, his Agent, &c. shall, for the Space of six Months after the End of every Fishing Season, neglect to deliver such Account attested on Oath as aforesaid, he shall for every such Offence forfeit 40 l.

II. *Stat. 2.* For every Bushel of Salt so taken out of the Cellars or Salt-works, which shall not be accounted for in the Manner above, or certified from the Quarter-Sessions to be lost at Sea, or shall not be returned into the Cellars or Warehouses at the End of every Fishing Season, the Proprietor or his Agent, who took out the same, or the Person to whom it was deliver'd for curing of Fish, shall respectively, according to each of their Quantities for which they stand accountable,

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forfeit 20 s. And every Person selling, giving away, using or delivering such Salt, otherwise than for the Purposes aforesaid, shall, for every Bushel so sold, &c. forfeit 20 s. one Third to the Crown, and the Remainder to the Informer; and every Person buying, taking, or using such Salt, otherwise than for curing of Fish, shall forfeit in like Manner 20 s. for every Bushel so bought, &c. to be disposed as above; and in Default of Payment of such Sums within fourteen Days after Conviction, and where no sufficient Effects can be found to answer the same, the Offender shall be sent to the House of Correction, there to be whipp'd and kept to hard Labour, not exceeding three Months.

III. *Stat. 3.* For every Bushel of Salt so lodged, which shall either be carried away or found wanting at the redelivering thereof into the sole Custody of the Proprietor, (reasonable Allowance for Waste being first made) the said Proprietor shall forfeit 20 s.

IV. *Stat. 4.* Any Person, who after the 24th of *June, 1719*, shall take away, imbezil or misapply any Foreign Salt, after Importation and Landing thereof, and before it is cellar'd, as above, for the curing of Fish, shall forfeit 20 s. for every Bushel so taken away, &c. reckoning such Salt at eighty-four Pounds Weight to the Bushel. And any Person, who after the said 24th of *June*, shall take away, &c. any *British* Salt, after it is weigh'd and carry'd from any Salt-work, and before it is lock'd up in a Storehouse by the Proprietor and Officer for the Salt-Duties, shall forfeit 10 s. for every Bushel so taken away, &c. reckoning such *British* Salt at fifty-six Pounds Weight to the Bushel.

V. *Stat. 5.* All Foreign and *British* Salt, and such Salt which hath been already laid on Fish and return'd unconsumed, remaining in the proper Custody of any Person, the Duties whereof have been paid or secured in *England*, before the first of *March, 1718*, and in *Scotland* before the first of *October, 1718*. shall be again put under the Lock and Key of the Salt-Officers in *England*, and of the Custom-house Officers in *Scotland*, before the first of *June, 1719*, by delivering to them Keys of all the Cellars wherein such Salt is lodged, and thereupon weighing the same in the Presence of the Officers, without Delay. And on a proper Debenture to be prepared by the Collector of the Customs at the Port within whose Precinct such Salt is cellar'd, and verify'd by the proper Officer as to the Quantity, the Security given for the Duties of the said Salt shall be vacated, or the Duties repaid by the said Collector, if in *Scotland*, or by the Officers of the Salt-Duties, if in *England*, out of the Monies in their Hands arising from the said Duties: so as it appears by the Salt or Custom-house Books, that the Salt was imported or delivered on or before the first of *October, 1718*,

1718, in *Scotland*, or the first of *March*, 1718, in *England*; and that the Duties were paid or secured; and that the Proprietors of the Salt, or his Agent, make Oath, that it is the same Salt that was so imported or delivered: And if the Officers have not Money in their Hands to discharge the said Debentures, then on a Certificate thereof to be given gratis, the Debentures for Salt cellar'd in *England*, shall be paid by the Commissioners for the Duties on Salt; and for Salt cellar'd in *Scotland*, by the Commissioners of the Customs or Excise there, at the Option of the Merchant, in the same Manner as Debentures for Fish exported, are now by Law payable.

VI. *Sett.* 11. After the first of *May*, 1719, all Salt imported from *Jersey*, *Guernsey*, *Sark* and *Alderney*, shall be liable to the same Duties on the Importation thereof, as any other foreign Salt whatsoever.

VII. *Sett.* 17. Every Person, who shall carry, or cause to be carried, any Brine from the Pits, (other than the known Proprietors for boiling the same into white Salt) shall forfeit 40s. for every Gallon of Brine so carried.

VIII. *Sett.* 18. If any Master of a Ship, who shall, after the 24th of *June*, 1719, import into any Port in *Great Britain* from *Ireland*, or any other foreign Part, any Quantity of Salt, which was taken in only for the necessary Provisions of the Ship, or for curing of Fish, shall not enter and pay, or secure the Duty for the same, within ten Days after coming into any Port, and before the same be landed, all the Salt so imported shall be forfeited, and the Master or Owner shall likewise forfeit double the Value thereof.

IX. *Sett.* 19. No Proprietor or Owner of Salt-works, or who hath any Interest in, or any Rent or Profit reserved upon, or issuing out of any Salt-Pits, &c. shall act as a Justice of Peace in any Matter relating to the Duties on Salt.

X. *Sett.* 20. Every Master of any Vessel, who, after the 24th of *June*, 1719, shall transport any foreign Salt from *Scotland*, or any the Islands thereto belonging, to *England*, or from one Port to another in *Great Britain*, shall, before landing or delivering such Salt, deliver to the Officers for collecting the Duties on Salt in the said Port, a Particular of the Quantity so transported, signed by the Salt and Custom-Officers for the Port whence the Vessel came; and then the said Master, his Mate, or Boatswain, shall make Oath before the Commissioners for the Salt-Duties, or their Officers, That to his Knowledge there hath not been taken into the said Vessel any Salt since he came from such Port: And if such Vessel be to deliver one Part of her Salt at one Port, and another Part at another Port, then the Officers of the Salt-Duties and of the Customs, where such Salt shall be delivered, shall certify on the Back of the Coquet, *Transire*, or other Warrant, or else by Certificate

det the Hands and Seals of the Officers, what Quantity of the Salt hath been deliver'd, on Penalty of double the Value of the Salt otherwise deliver'd, and 10 s. per Bushel.

XI. *Sec. 21.* It shall be lawful for the Salt-Officers, at any unloading Port, to go on Board such Vessel, before the Delivery thereof, and demand a Sight of the Cocquet, and to weigh the Salt upon the Unloading the same; and if the Salt be found to be more in Weight than what is contain'd in the Cocquet, then the Surplusage shall be forfeited, one Half to the Crown, the other to the Informer: And if the Master refuses to shew the Cocquet, the Officer may seize the Salt, and detain it till the Cocquet be produced; and if it be not produced in four Days, the Salt shall be forfeited.

XII. *Sec. 22.* After the 24th of June, 1719, the Officers of the Customs, or of the Duties on Salt, may go on board any Vessel, to search if there be any Salt on board, and may seize the same, if it be found on board any other Vessel than that in which such Salt was imported, unless it had been duly enter'd, or the Duties paid or secured; and all such Salt shall be forfeited, or the Value thereof, to be recovered of the Master or Owner of such Vessel, who shall likewise be liable to all other Penalties and Forfeitures, as if the same had been landed without Entry or Payment of the Duties: And every Person who shall hinder any Officer in going on board any Vessel and searching the same, shall for every such Offence forfeit 40 l.

XIII. *Sec. 23.* No Salt or Rock-Salt, &c. shall, after the same be put on board any Boat, Barge, Ship or Vessel, to be exported, after the 24th of June, 1719, be taken out of such Boat, &c. otherwise than to put the same into the Ships in which they are to be exported, nor put on Shore, except in the Presence of some Salt-Officer, under the Penalties and Forfeitures, appointed in the Act 3 A. c. 14. *For the better securing and regulating the Duties on Salt.*

XIV. *Sec. 24.* If any foreign Salt be put on Shore before the Entry, or the Duty thereon be paid, or without a Warrant for landing thereof, the Person landing the same, or conveying it from the Shore when landed, or assisting therein, shall, over and above the Penalties already given by Law for such Offence, forfeit 100 l.

XV. *Sec. 25.* On reshipping any Salt, British or Foreign, or any Rock-Salt, from any Boat, Barge, Trow, Lighter, or other Vessel, into any Ship, and before any Dispatches for the Salt so reshipped be granted, the Master, &c. that comes along with the Salt to be shipped on Board another Vessel, shall make Oath before the Salt-Officer, that all the Salt he took in is truly reshipped, and that there was no Salt added to it, or taken from it, to the best of his Knowledge, on Penalty of forfeiting

feiting double the Value of the Salt that shall be otherwise re- shipped, and also 10 s. per Bushel.

XVI. *Stat.* 26. All Penalties and Forfeitures given by this Act, or any other Law relating to the Duties on Salt, (except where it is otherwise directed by this Act) shall be distributed, one Moiety to the Crown, the other to the Officer who shall seize, sue or inform for the same, to be recovered in such Manner, and with such Power of Mitigation, as any Fine, &c. may be by the Laws of Excise; or by Action of Debt, &c. in any of the Courts at *Westminster*. And all Salt-Officers are hereby empower'd to seise all Salt and other Things, which by this or any other Act relating to the Duties on Salt, are declared to be forfeited.

XVII. *Stat.* 27. Persons sued for any Thing done in Execution of this or any other Act relating to the Duties on Salt, may plead the General Issue, and give this Act and the Special Matter in Evidence, &c. and shall recover double Costs. [*See the rest of this Act in Tit. Fish and Fishery.*]

Scotland.

Dumfries.

I. *Stat.* 3 G. c. 6. *Stat.* 1. After the first of July, 1717, for the Term of nineteen Years, and to the End of the then next Session of Parliament, there shall be laid the Imposition or Duty of two Pennies *Scots*, or the sixth Part of a Penny Sterling, (over and above the Duty of Excise to the Crown) on every *Scots* Pint of Ale and Beer, brewed, brought in, vended, tapped or sold, within the Town of *Dumfries*, and Privileges thereof, payable by the Brewers, Vintners, Sellers, and Tapsters, to the Magistrates and Town-Council of the said Town, and their Successors in Office, and their Assigns or Collectors, for the Use of the Community thereof.

II. *Stat.* 2. The Provost and Bailiffs of *Dumfries*, and Town-Council of the same, are hereby appointed Trustees for paying the publick Debts of the Town, and for building a new Church, and maintaining a Minister for the same, and making a new Harbour, and maintaining and repairing the same, and for directing the Gauging to know the Extent of Brewing, and the Collection, Receipt and Disposition of such Monies as shall arise by the said Imposition.

III. *Stat.* 3. The said Trustees are empowered to make such Orders, and to give such Directions for the Gauging, and for the Collecting and Disposing the Money arising by the said Duty, as they shall think most conducing to the End for which

it is given, and the Money so arising shall be collected by the Persons, whom the Trustees shall appoint; and the Persons so appointed shall pay and dispose thereof in such Manner as the Trustees shall direct.

IV. *Sett. 4.* The Money raised by this Duty shall be applied, in the first Place, towards discharging the publick Debts of the said Town; then to build a new Church, and make Provision for a Minister for the same; in the next Place for making a Harbour, and for maintaining it; and to no other Purpose whatsoever. And a Book shall be kept, in which all Monies received by Virtue of this Act, and all Disbursements shall be enter'd, expressing the Time when received or disbursed, and for what Use such Payments were made; and within thirty Days after the first of July, 1718, and so successively in every Year during the Continuance of this Act, the Accounts from the said Books shall be fairly stated by the Collector, and delivered to the Trustees upon Oath, which Oath any of the Trustees are empower'd to administer.

V. *Sett. 5.* The Trustees, by an Act of the Town-Council, may convey the Duty hereby granted, as a Security for any Money by them borrowed for the Ends and Purposes of this Act, to any Person who will advance any Sum on such Security, at the Rate of Interest conformable to the Acts of Parliament for the Time being; all which Money so borrowed shall be apply'd to such Purposes as the Duty arising by this Act is to be apply'd; and Persons chargeable with the Duty, not paying the same on Demand, shall be summoned before the Magistrates who are to make an Order for the Payment thereof, and if such Persons shall not pay the same within three Days after Notice of such Order, it shall be lawful for the Collector, by Warrant under the Hand of one or more Magistrates, to distrain the Goods of such Persons so neglecting or refusing to pay the Duty, and to detain them till satisfy'd; and in Case of Non-payment for ten Days after the Distress, the Collector may sell the same to satisfy himself, as well for the Duty so neglected or delay'd to be paid, as for his reasonable Charges, not exceeding the fifth Part of the Sums distrained for, in taking and keeping such Distress; rendering the Overplus to the Person offending.

VI. *Sett. 6.* If any Ale or Beer shall be brought in or sold within the said Town and Privileges thereof, having not first paid the Duty, the same, with the Cask, shall be confiscated for the Use of the Town.

VII. *Sett. 7.* If any Dispute arise between the Brewers or Sellers of any Ale or Beer, touching the Measuring thereof, his Majesty's Gauge shall be the Rule to determine the Difference, which Gauge the Collector of the Excise is required to produce for that Purpose.

VIII. *Stat. 8.* It shall be lawful for the Trustees, with Consent of the Overseers, to farm and set the said Duty, by Way of publick Roup, for such Term and on such Conditions as they shall think fit.

IX. *Stat. 9.* Charles Duke of Queensbury and Dover, William Marquiss of Annandale, Sir Walter Lawrie of Mawneuchone, Sir William Johnstons of Westerhall, Barons; Alexander Fergussons of Craighdarock, and William Johnstons of Corhead, Esqrs; or any three of them, are empower'd to meet the first Wednesday in August, 1717, at Dumfries, and yearly on that Day there-after, and to adjourn themselves from Time to Time, to examine the Receipts and Disbursements of the said Duty; and if they find any Misapplication of the Monies arising thereby, or any other Abuses of the Powers hereby given, the said Overseers are authorized to examine the Persons accused, and Witnesses on Oath; and where it shall appear that there has been any Imbezzlement, they may adjudge the Offenders to pay the Value of what is imbezilled, with full Costs and Damages, which Sentence shall be final without farther Appeal. And if any of the said Overseers happen to die, or refuse to act, any three of them, by Writing under their Hands and Seals, may elect and appoint a fit Person to supply the Place; and every Person so chosen, is empower'd to act in as ample Manner as the said Overseers are by this Act appointed to do.

Dunbar.

X. *Stat. 3 G. 2. 16. Stat. 1.* After the first of June, 1719, for the Term of nineteen Years, and to the End of the then next Session of Parliament, there shall be laid the Duties of two Pennies *Scots*, or the sixth Part of a Penny Sterling, above the Duty of Excise payable to the Crown, on every *Scots* Pint of Ale and Beer, (for Sale) that shall be brewed, brought in, vended, tapped or sold, within the Town of Dunbar, and Privileges thereof; to be paid by the Brewers, Vintners, Sellers and Tapsters of the said Ale and Beer, to the Magistrates and Town-Council of the said Town, and their Successors in Office, their Assigns and Collectors, for the Use of the Community thereof.

XI. *Stat. 2.* The Provost and Bailies of Dunbar, and Town-Council of the same, and their Successors, shall be and are hereby appointed Trustees for making and repairing the Harbour, and for building the Town-house and Schools, and for maintaining and repairing the same; and for supplying the Town with Water, and for Payment of the publick Debts of the Town; and for collecting and disposing the Money, which shall arise by the said Duty; and they are empower'd to order

one or more Officers to gauge the Vessels of the Brewers, and the Worts, Ale and Beer therein contained; which such Brewers are required to permit to be done, as freely, in such Manner, and at such Times as his Majesty's Officers of Excise are allowed to do.

XII. *Sec.* 3. All the Monies arising by the said Duty shall be paid to such Persons as the Trustees shall appoint; and the Persons so appointed shall pay and dispose thereof to such Persons as the Trustees shall direct.

XIII. *Sec.* 4. The Trustees shall apply the Money for making and repairing the Harbour, and building the Town-house and School, and for supplying the Town with Water, and for Payment of the Town-Debts; and for making such other necessary Works as shall be proper for the Purposes aforesaid.

XIV. *Sec.* 5. One or more Books shall be kept, in which all the Monies to be received by Vertue of this Act, and all Payments and Disbursements shall be enter'd, expressing the Time when the same was received, paid or disbursed, and for what Use or Purpose such Payment was made; and once in every Year, *viz.* within thirty Days after the first of June, 1719, and so successively in every Year, the Accounts from those Books shall be drawn out and stated by the Collector, and delivered to the Trustees, upon Oath, which they are impower'd to administer.

XV. *Sec.* 6. The Trustees, or major Part, are impower'd, by an Act of the Town-Council, to convey and assign over the Duty hereby granted, as a Security for any Sums of Money by them borrowed for the Purposes of this Act, to any Persons, that will advance such Sums on such Security, at such Interest as shall be conformable to the Acts of Parliament for settling of Interest for the Time being: Which Monies so borrowed, shall be apply'd only for such Purposes as the Duty arising by this Act is to be apply'd.

XVI. *Sec.* 7. Any Person chargeable with the said Duties, refusing to pay, shall be summoned before the Magistrates, who are to make an Order for the Payment; and if such Person shall not pay the same in three Days after Notice, the Collector, by Warrant from one or more of the Magistrates, may distrain the Goods and Chattels of such Person, and detain the same till Satisfaction be made; and if he shall neglect to pay for ten Days after the Distress, then the Collector may sell the Distress to satisfy the Duty, and for reasonable Charges, not exceeding the fifth Part of the Sum distrained for, rendering the Overplus to the Owner.

XVII. *Sec.* 8. If any Ale or Beer shall be brought in or vended in the said Town or Privileges, having not paid the Duty aforesaid, the Liquor and Cask shall be forfeited for the Use of the Town.

XVIII. *Seff. 9.* The Extent or Quantity of Wort, Ale or Beer, brewed and charged with the said Duty, shall be ascertained by the Vouchers made up by his Majesty's Officers of Excise, conformable to which the Duties of Excise are payable, which Vouchers shall be the Rule for determining all Differences; and the Collector of his Majesty's Excise is to give an authentick Copy of such Vouchers, once in six Weeks, to the said Trustees, or their Collector, to be used for that Purpose.

XIX. *Seff. 10.* If any Person shall, after the first of *Jan.* 1719, imbezil any Wort, Ale or Beer, liable to the said Duty, in Order to avoid the Payment thereof, the Magistrates of *Dunbar*, or any two or more of them, on the Information of any Person, shall summon the Offender before them, and on Conviction, conform to the Laws of Excise, the Party convicted shall be fined to the Value of the Liquor imbezilled, and ten Pounds, *Scots* Money, for the Expences of the Court, for which Distress, conformable to Law, is hereby allowed.

XX. *Seff. 11.* The Trustees may farm out the Duty by Way of publick Roup, for such Term, and on such Conditions as they shall think fit, for the best Price and Advantage they can get.

XXI. *Seff. 12.* The Honourable *Charles Hamilton* Esq; commonly called Lord *Bunning*, the Honourable *John Hamilton* Esq; Son and Heir apparent to the Lord *Bielhaven*, the Right Honourable *Sir Hugh Dalrymple*, Lord President of the Sessions, the Honourable *Sir David Dalrymple* Bart. his Majesty's Advocate, the Honourable *Alexander Hay* of *Lawfield*, the Honourable Colonel *William Ker*, *Sir James Sutie* of *Belgoigne*, *Sir James Hall*, *Sir George Warrender* of *Lockend*, Baronets; *John Baird* Esq; and the Honourable *John Cockburne* Esq; or any four of them, shall, and are empower'd to meet the second *Thursday* of *August*, 1719, and so successively on the same Day yearly, and to adjourn themselves as they shall think proper, during the Continuance of this Act, to examine the Receipts and Disbursements, and if they shall find any Misapplications of the Monies, or any Abuses of the Powers hereby given, they are to hear and examine the Persons accused, and the Witnesses, on Oath; and when any Imbezilment shall appear, they are to order and adjudge the Offenders to pay the Value imbezilled, with full Costs: And if any of the Overseers die, or refuse to act, any four of them are to nominate a fit Person to supply his Place.

XXII. *Seff. 13.* No Distress to be taken by Authority of this Act, shall extend to prejudice or render ineffectual the Duty of Excise payable to the Crown.

XXIII. *Seff. 14.* Nothing in this Act contain'd shall extend to charge or make liable any Wort, Ale, or Beer, to the Payment of the Duty hereby granted, where it shall appear that the said Duty has been once paid for such Wort, &c.

Edinburg.

Edinburgh.

XXIV. Stat. 3 G. 5. *Seß.* 1. Enacted, That such and the like Rates, Duties and Impositions, granted by an Act passed in Scotland on the 13th of June, 1693, and imposed on Ale and Beer, brewed, brought in, vended, tapped and sold in the Town of *Edinburgh*, and Suburbs and Liberties thereof, (except as in that Act is excepted) shall, after the Expiration of the Term by the said Act granted, be further continued to the Provost, Magistrates and Council of the said City for the Time being, and their Successors, for the Use of the said Town, during the Term of nineteen Years; and be levied by the same Means and Methods, by such Rules, with such Exceptions, and under the same Penalties, &c. as are prescribed in the said Act; and every Article, &c. therein contain'd, shall be in Force during the said nineteen Years, as fully as if the same were repeated in the Body of this Act.

XXV. *Seß.* 2. The Lords of Session shall appoint two of their own Number, and the Barons of the Exchequer, two of theirs, the Sheriffs of the Shires of *Edinburgh*, *Linlithgow* and *Haddingtown*, are required to summon the Heretors and Freeholders to meet annually, that each may choose two of their Number; the first of which Elections shall be made on the first *Tuesday* of *November*, 1717, and annually on the second *Tuesday* of *June* there-after; and the Persons so elected, together with the Members of Parliament for the Time being, for the said Shires, are empower'd to overlook and controul the Management of the Moneys to arise by this Act, to aid and concur in the several Cases after mentioned; and in Case they find any Mismanagement or Misapplication of the said Monies, or any other Abuse concerning the same, any two or more of them, may sue and prosecute the Magistrates, or others concerned in the Abuse or Mismanagement for Redress and Reparation, in the Terms and under the Penalties contain'd in the said Act: And the first Meeting of the said Overseers (if not sooner called together at the Request of the Magistrates of *Edinburgh*) shall be at the Council-Chamber at *Edinburgh* on the second *Tuesday* of *November*, 1717, and they shall have Power to adjourn themselves from Time to Time; and one anniversary Meeting shall be had on the third *Tuesday* of *July* yearly, for one Year longer than the Continuance of this Act.

XXVI. *Seß.* 3. At the first Meeting of the said Overseers, the Magistrates of *Edinburgh* shall lay before them an Account of all the Debts of the Town, other than such as are provided for and to be discharged by the Duty arising by the former Act, as they stand on the first of *July*, 1718, to be entered in a Book

to be kept for that Purpose; and at the first or any subsequent Meeting of the said Overseers, any three or more of them are empower'd to make such Rules and By-Laws for the better Management of the Matters here-after mentioned, as to them shall appear necessary, consistent with this Act and the Laws of Scotland.

XXVII. *Self. 4.* It shall be lawful for the Magistrates and Council of *Edinburgh*, by Writing under their Hands and Seals, to assign over the Duty hereby granted, or any Part thereof, for any Term for which the same is hereby granted, as a Security for any Money, to be borrowed for the Purposes in this Act mentioned, and none other; which Monies so borrow'd, and also what shall arise by the said Duties, shall be applied to the Uses following, *viz.* For renewing the Water-Pipes, and helping the Conduits which carry the Water to the Town; for enlarging the Harbour, and deepning the Chanel at *Leith*; for building a new Key there; for settling an annual Fund of 300*l.* for maintaining the Poor of *Edinburgh* and adjacent Counties, which shall commence and grow due after the first of *July*, 1718; for settling a Salary on the Professor of Law in the University of *Edinburgh*, and his Successors in Office, not exceeding 100*l. per Annum*, to commence from the 11th of *November*, 1717; for rebuilding the City-Walls, and Causewaying the Highways leading to the City; and for building two new Churches, and settling Stipends for the Ministers; and in Aid of the Deficiency of the Town-Revenue, a Sum not exceeding 452*l. per Annum*: And the Magistrates shall lay before the Overseers an Account of all the Debts contracted by Reason of any the Matters aforesaid, together with the Agreements relating thereto; which Account shall be fairly enter'd in a Book, and an Entry shall be made yearly till the Purposes in this Act are compleated, and on the third *Tuesday* of *July*, 1724, a State of all the Debts incurred and then grown due to the first of *July* in the said Year, shall be made up; and out of the Monies arising by the said Imposition hereby continued, the Interest of the Debt then due from the said Town shall be paid; and all the annual Payments before-mentioned, together with 2000 Marks *Scots* to two *French* Ministers, and what shall remain, shall be apply'd for paying off Part of the capital Debt; and so yearly till all that was due and unsatisfy'd before the first of *July*, 1723, is discharged: And if more Monies shall arise by the Imposition than is necessary to pay off the Debts and discharge the annual Payments aforesaid, the Overplus shall be laid out for carrying on such publick Works for the Service of the Town as shall be agreed on by the Magistrates, and Majority of the Overseers, and the Overseers are to be summon'd by the Magistrates to be present at all Agreements or Farms of the said Imposition.

XXVIII. *Señ. 5.* After the first of July, 1723, the Magistrates are hereby restrain'd from borrowing any Monies, so as to increase the Debt of the said Town, in the Term for which this Imposition is granted, on any Reason whatsoever, unless with the Consent of the Majority of the Overseers, under their Hands, or under the Hands of three or more of them.

XXIX. *Señ. 6.* Of the Number of Poor to be employ'd and maintain'd out of the 300*l.* per Annum intended for that Purpose, one fourth Part shall be presented, and their casual Vacancies supply'd, by the Representative in Parliament, and two Heretors, elected by the Freeholders of the Shire of Edinburgh; and another fourth Part by the Representative and two Heretors elected by the Freeholders of Haddingtonshire.

XXX. *Señ. 7.* The annual Payments with which the Town is charged by this Act, shall continue till the first of July, 1742, and no longer.

XXXI. *Señ. 8.* The said Imposition shall be raised as his Majesty's Excise is raised; and the Charges made by the Officers of Excise shall be the Rule for uplifting and collecting the said Imposition; and the Commissioners of Excise in Scotland are to allow the Magistrates, or their Collectors, to take out true Copies of the Charges given up by the Officers of Excise upon the Brewers liable in Payment of the said Imposition; and the Magistrates and Town-Council are to allow the Brewers the same Deductions which are granted them by the Commissioners of Excise.

XXXII. *Señ. 9.* After the first of July, 1718, the said Imposition shall be ascertain'd and collected, conform to the Charges to be given by the Officers of Excise, upon the Brewers; and the Commissioners of Excise in Scotland are directed to allow Copies thereof to the said Magistrates, or their Assignees, they giving the same Allowances to the Brewers as are granted by the said Commissioners.

XXXIII. *Señ. 10.* After the first of July, 1723, all Persons living in the adjacent Counties, who are not subjected by this Act to the said Imposition of two Pennies Scots on the Scots Pint of Ale and Beer, may import their Ale and Beer to Edinburgh, or to any Place within the Privileges of the said City, they paying the same Duty for all the Ale and Beer so imported only, as the Brewers living there are accustomed to pay, and being subject to the Penalties in the Act hereby continued, for neglecting or refusing to pay the said Imposition.

XXXIV. *Señ. 11.* After the first of July, 1723, the Dues and Petty Customs, payable at the Ports of Edinburgh, shall be discontinued and cease during the Continuance of this Act, and no longer.

Equivalent.

XXXV. Stat. 1 G. c. 27. *Self.* 1. Commissioners shall be appointed for the Purposes after mentioned; which Commissioners his Majesty is impower'd to appoint under the Great Seal, with such Salaries, Allowances for Clerks and incident Charges, as he shall think fit, for taking, examining and stating the Debts due and growing due to *Scotland* by Way of Equivalent; and the said Commissioners are impower'd to issue their Precepts to all Officers employ'd in the managing, collecting, receiving or paying the Publick Revenue, or in Auditing the Accounts of the same, to give such Accounts and Abbreviations duly sign'd as to these Commissioners shall seem necessary; and particularly the said Commissioners are to state the Accounts of what Equivalents and Increase have become due to *Scotland* from the Commencement of the Union to the first of *May*, 1714, and of the Application of the Moneys levy'd in *Great Britain* in the several Years since the Union, distinguishing the Parts that have been applied for Payment of the Debts of *England*, incurred before the Union, from such as have been for the Service of the united Kingdom in the subsequent Years; and of all Publick Monies that have arisen and were due in *Scotland*, during the first seven Years after the Union, and of all Arrears yet standing out, and proper to the Account of that Time; and also of the publick Money due for the Service of the Year 1707, or before that Time, which has since been paid, or is yet standing out; and also of the Civil and Military Establishment for that Year; and of what Monies have been advanced and paid out of the Treasury of *England*, which should have been provided for by the Parliament of *Scotland*, and of the State of the Revenues of both Nations at the Time of the Treaty, and for the several Years since; as also to state what Proportion of the Increase of the Customs and Excise in *Scotland*, over and above the annual Produce of those respective Duties, as stated in the 15th Article of Union, will after the Expiration of seven Years mentioned in that Article, be applicable to the Payment of the Debts of *England* contracted before the Union; and what Parts of the Duties imposed since will be applicable to the Payment of the like Debts incurred before that Time; and generally to specify the Parts of the Revenue of *Scotland*, and every Branch thereof, which will be applicable to the Payment of the Debts of *England*, in Consequence of the Appropriations made since the Treaty of Union, and the Time of the Continuance of these Appropriations, to the End a true Account of all these

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Matters may be made up, and a Report thereof laid before the King and both Houses of Parliament.

XXXVI. *Seff. 2.* The said Commissioners, or two of them, are empower'd, and shall administer an Oath to the proper Officers from whom they receive any Accounts or Abbreviates, as to the Truth thereof, to the best of their Knowledge.

XXXVII. *Seff. 3.* Declared, That this Commission, together with the Powers hereby granted, shall continue in Force one whole Year from the Issuing thereof, and from thence to the End of the then next Session of Parliament; to the Intent that the Accounts between the two Nations, on the Agreements in the Treaty of Union, may be fully stated, and laid before the King and both Houses of Parliament.

XXXVIII. *Seff. 4.* Provided, That none of the Officers or Persons hereby required to obey such Precepts of the Commissioners, shall be obliged to travel farther than the Cities of London, Westminster, and Edinburgh.

XXXIX. *Seff. 5.* Provided also, That if the Commissioners shall meet with Difficulties in Points of Law, the same shall be specially stated in their Report for Determination of Parliament.

XL. *Seff. 6.* Any two of the Commissioners, before they enter on the Execution of this Act, shall, before the Lord Chancellor or Master of the Rolls, take the following Oath, *viz.*

I A. B. do swear, That, according to the Best of my Skill and Knowledge, I shall faithfully, impartially, and truly demean my self, in taking, examining and stating the Debts due and growing due to Scotland, by Way of Equivalent, according to the Agreements in the Treaty of Union, and in all Matters or Things brought, or to be brought before me in Execution of the Act, intituled, An Act for taking and stating the Debts due and growing due to Scotland, by Way of Equivalent in the Terms of the Union, and for Relief of the Creditors of the Publick in Scotland, and the Commissioners of the Equivalent.

And every other of the said Commissioners shall likewise take the same Oath before the said two Commissioners.

XLI. *Seff. 7.* The Treasury shall, before the first of November, 1715, issue their Order for Payment of a Sum not exceeding 15,822 l. 8 s. 7 d. 3 q. to the Commissioners of Equivalent in Scotland, out of any the Revenues of Customs or Excise in Scotland, or either of them; which Sum shall be apply'd by the Commissioners of Equivalent for Payment of one Year's Interest, *viz.* from the 23d of June, 1714, to the 24th of June, 1715, of the Capital Sum of 230,308 l. 9 s. 10 d. and five sixths Parts of one Penny, stated due to the Creditors of the Publick in Scotland on the 24th of June, 1714, by the Act 12 A. *Seff. 2.*

c. 13. and for Payment of the Salaries of the said Commissioners of Equivalent, and of the Fees and Salaries of their Servants, and necessary Expences, from the said 23d of June, 1714, to the 24th of June, 1715, which Sum shall be brought into the Accounts to be stated by the Commissioners to be appointed by this Act, and chargeable on any Monies which shall be found due in Scotland.

XLII. *Señ. 8.* None of the Commissioners to be appointed in Pursuance of this Act, shall incur any Penalties, Forfeiture, Incapacity or Disability, for putting this Act in Execution.

XLIII. *Stat. 3 G. c. 14. Señ. 1.* Enacted, That the Powers given to his Majesty by the Act 1 G. c. 27. for appointing Commissioners for Stating the Debts due to Scotland by Way of Equivalent, together with all other Powers therein contain'd, shall be continu'd after the Determination of the said Act, for one whole Year, and to the End of the then next Session of Parliament.

XLIV. *Señ. 2.* All Officers, Accountants, and others, who can give any Information relating to the said Accounts, &c. are required to observe such Orders as the Commissioners, or any three of them, shall, under their Hands, direct.

XLV. *Señ. 3.* The Treasury shall, on or before the first of September, 1717, after paying or reserving sufficient to pay the Civil Establishment in Scotland, authorized by the Act 10 A. c. 26. *For laying additional Duties on Hides and Skins, &c.* issue Orders for the Payment of a Sum not exceeding 31,565 *l.* 21. 5 *d.* ob. to the Commissioners of the Equivalent in Scotland, at their Order, out of the Customs and Excise in Scotland; which Sum shall be apply'd for the Payment of two Years Interest of the capital Sum of 230,308 *l.* 9 *s.* 10 *d.* and five sixth Parts of a Penny, stated due to the Creditors of the Publick in Scotland, by an Act 12 A. and of 18,241 *l.* 10 *s.* 10 *d.* and two third Parts of a Penny, stated due to *William Paterson Esq;* by an Act 1 G. from the 23d of June, 1715, to the 24th of June, 1717, and for Payment of the Salaries of the Commissioners of Equivalent, and the Fees and Salaries of their Servants, and the necessary Charges of the Office for the said two Years; which Sums shall be brought into the Accounts, and charged on the Monies due to Scotland by Way of Equivalent.

XLVI. *Señ. 4.* No Equivalent Debentures, or the Interest thereof, shall be stopp'd, on Account of any Arrestment or Attachment that shall be laid on them in the Commissioners Hands after the first of August, 1717, or otherwise.

XLVII. *Señ. 5.* The Commissioners of the Equivalent in Scotland, shall retain in their Hands the Sum of 14,000 *l.* Sterling, appointed by the fifteenth Article of the Union for the

Encouragement of the Manufacture of coarse Wool, in such Shires as the same is produced; which said Sum shall be apply'd for the Benefit of the said Manufacture, and the Wool-Masters.

XLVIII. Stat. 5 G. c. 20. *SECT. 1.* After reciting several Articles of the Treaty for the Union of the two Kingdoms of England and Scotland, and the several Acts made since the Time of the said Union, relating to the Equivalent; and that whereas by Reason of many Doubts arising in the Construction of the 15th Article of the said Treaty, and other Laws relating to the Excrease of the said Equivalent, and to the growing Equivalent becoming due to Scotland; and by Reason of the many Difficulties which attend separating and distinguishing between Debts incurred before the Union, and Debts incurred for the Service of the united Kingdom, (both which have without Distinction been provided for since the Union) the Commissioners of Equivalent have not been able to adjust the Accounts thereof for the Time past, and are like to meet with insuperable Difficulties therein for the Future, so long as the same is to continue in the Terms of the said Treaty, although the making such Accounts is attended with an excessive Charge to the Publick, and may occasion great Discontents in the united Kingdom: For obviating whereof the Commons of Great Britain think it just, and judge it most conducive to the publick Tranquillity, That in Lieu and full Discharge of all Equivalents whatsoever, that might hereafter be demanded from England, or the united Kingdom, on the Foot of the said Treaty, such Annuities and other Provisions may be established for the Satisfaction of those interested in the Monies which were expected to arise from the said Equivalents, as are after in this Act expressed: Therefore enacted, That yearly, from the Feast of St. John Baptist, 1719, the full Sum of 10,000 l. shall be one yearly Fund, and the full Sum of 2000 l. shall be another yearly Sum, for the Purposes in this Act expressed; and the said Funds shall continue for ever, but subject to Redemption by Parliament, according to the respective Provisions herein contained in that Behalf: And the said yearly Funds shall be payable out of the Monies arising of the Revenues that are under the Management of the Commissioners of the Customs and Excise in Scotland, which shall remain after paying or reserving sufficient to pay the Charges of managing the said Revenues, and of Keeping up the three Courts, and other Charges of the Civil Government in Scotland, and with Preference to all Payments whatsoever, other than those Charges, and other than such Drawbacks and Allowances, as shall be settled by any Act of Parliament.

XLIX. *Señ. 2.* In Case the Produce of the said Revenues shall not be sufficient to satisfy the said yearly Funds, the Deficiencies therein shall be made good out of any other Revenues in *Scotland*, which were introduced by Vertue of the Treaty of Union, or to which the Subjects of *Scotland* are liable, other than such Revenues as are expressly appropriated to any particular Use by any Act of Parliament in *Great Britain*, made since the Act for confirming the said Treaty of Union.

L. *Señ. 3.* The said Annuities or Funds shall be paid at the four most usual Feasts in the Year, by equal Portions, until the Redemption thereof; the first Payment to be due at Michaelmas, 1719; and the said yearly Funds shall be free from all Taxes, &c. laid, or to be laid thereon by Parliament.

LI. *Señ. 4.* The Treasury shall issue Warrants for making the Payments of the said yearly Funds according to the true Intent of this Act; and the Payments shall be made by the proper Officers without Fee; and if any Officer, who shall have in his Hands any of the Moneys, which shall be appointed for Payment of the said yearly Funds, shall divert or misapply the same, he shall be render'd incapable to serve his Majesty, &c. in any Office of Trust or Profit, and be liable to pay double the Value of the Money so diverted or misapplied, to the Use of the Corporation which shall be erected in Pursuance of this Act, for the Benefit of the Creditors of *Scotland*; to be recovered by Action of Debt, &c. in any of the Courts at *Westminster*, or in the Exchequer in *Scotland*; in which no Effort, &c. or more than one Imparllance, shall be allowed.

LII. *Señ. 5.* It shall be lawful for the King, by Letters Patents under the Great Seal of *Great Britain*, to incorporate all the Proprietors of the Debts, stated to amount to the Principal Sums of 230,308 *l.* 9 *s.* 10 *d.* and five Sixths of a Penny, and 18,241 *l.* 10 *s.* 10 *d.* and two Thirds of a Penny, both Sums making 248,550 *l.* 9 *d.* 06. And all Persons, Natives and Foreigners, Bodies Politick, &c. who as Executors, &c. or by any other lawful Titles to be derived from the said Proprietors, shall be entitled to any Part or Interest in the said capital Sums, shall be one Body Politick or Corporate, by such Name as the King shall think most proper; and by such Name the said Corporation shall have perpetual Succession; and they and their Successors shall be capable in Law to sue and be sued in all Actions and Causes concerning the receiving and recovering the said Sum of 10,000 *l.* per Annum, and the Distribution thereof to those who shall be interested in the same, with such Powers as the King by the same Letters Patents shall think fit to grant.

LIII. *Sett.* 6. The said capital Sums, amounting to 248,550 *l.* 9 *d.* 00. shall be the joint Stock of the said Corporation; and the Shares of the Members shall be transferrable and devisable in such Manner, as the King by his said Letters Patents shall prescribe.

LIV. *Sett.* 7. Every Member of the said Corporation shall be entitled to an Annuity in Proportion to his Share in the said Capital; which Annuities shall be paid quarterly, till Redemption thereof by Parliament.

LV. *Sett.* 8. Whereas by former Acts of Parliament, Debentures were directed to be made forth for the said several Debts amounting to 248,550 *l.* 9 *d.* 00. which are assignable by Endorsement, and bear Interest at 5 *l.* per Cent. per Annum, and some of the Persons interested in Part of the said Debts, have not taken forth the Debentures to which they are intitled, pursuant to the said Acts: Therefore enacted, That in all such Cases the Judges of the Exchequer in Scotland, or any three of them, shall make forth and sign Debentures for the Sums for which Debentures are not already made forth; which shall bear Interest, and be assignable, &c. as if they had been made forth by the Commissioners of the Equivalent.

LVI. *Sett.* 9. The said Judges shall, by publick Proclamation at the Market-Cross of *Edinburgh*, or otherwise as they shall think fit, intimate to all Parties, within or without the Kingdom, having Interest in the said stated Debts of Scotland, to produce before them, where the said Court of Exchequer meets, at or before any Day prefix'd, not shorter than six Months from the Date of the Publication, and there to exhibit their Debentures, to be register'd in the said Court, which shall be accordingly done by the King's Remembrancer, without Fee, other than 6 *d.* for registering every Debenture, wherein the Principal shall exceed 50 *l.* to which Register all Persons may have free Access without Charge.

LVII. *Sett.* 10. The Treasury of *Great Britain* are empower'd and directed, out of the Monies arising of the said Customs, Excises, and other Revenues, charged with the said yearly Funds, which shall remain after paying the Charges of managing the said Revenues, and keeping up the three Courts, and the other Charges of the Civil Government in Scotland, as also the Sums that shall grow due on the said Funds of 10,000 *l.* and 2000 *l.* per Annum, to cause Payment to be made to such Persons as his Majesty shall appoint and intrust to receive the same, of the full Sum of 30,823 *l.* 7 *s.* 2 *d.* for Payment of the Interest, at 5 *l.* per Cent. per Annum, from the 23^d of June, 1717, to the 24th of June, 1719, of the said capital Sums, amounting to 248,550 *l.* 9 *d.* 00. and for Payment of the Salaries of the Commissioners of the Equivalent, and of the Fees and Salaries of their Servants, and the necessary Charges of their Office

Office for two Years, ended at *Midsummer*, 1719; from which Time all Salaries and other Charges relating to that Commission shall cease.

LVIII. Sect. 11. Till such Charter of Incorporation be granted, the said Fund of 2000 *l. per Annum*, shall be paid to such Persons as his Majesty shall appoint, in Trust for the Proprietors of the Debentures for the said 248,550 *l. 9 d. ob.* and till then their Debentures shall continue to be assignable by Endorsements thereon: But after the passing of such Charter of Incorporation, the said Fund of 10,000 *l. per Annum* shall be payable to the same Corporation, or their Cashier for their Use, and be divided amongst the Members, according to their respective Shares in the Capital.

LIX. Sect. 12. Upon Payment by Parliament of the said capital Sum of 248,550 *l. 9 d. ob.* without any Abatement, and all Arrears of the said yearly Fund of 10,000 *l.* then the said Annuity shall cease.

LX. Sect. 13. The Judges of the Exchequer in Scotland, shall forthwith call the Commissioners of Equivalent to account for the Balance of 16,575 *l. 14 s. 1 d. ob.* and for the Sums of 15,822 *l. 8 s. 7 d. 3 q.* and 31,565 *l. 2 s. 5 d. ob.* by them received; and after Deduction of all due Payments and Allowances, to cause the Balance to be paid over to such Person as his Majesty shall appoint in Trust for the Uses to which the same is liable pursuant to former Acts, and thereupon to liberate the said Commissioners on their said Accounts.

LXI. Sect. 14. As to the said Fund of 2000 *l. per Annum*, the same shall be wholly apply'd towards the encouraging and promoting the Fisheries, and such other Manufactures and Improvements in Scotland, as may most conduce to the greatest Good of the united Kingdom, according to the Tenor of the 15th Article of the Treaty of Union.

LXII. Sect. 15. The said Funds of 10,000 *l.* and 2000 *l. per Annum*, and the several Shares of the Proprietors, shall be deemed Personal Estates, and upon Deaths shall go to Executors or Administrators, and not be descendable to Heirs, nor be liable to Arrestments or Attachments.

LXIII. Sect. 16. No Person shall incur any Incapacity, for executing this Act, or for accepting any Office, or of any Charter to be granted by his Majesty in Pursuance thereof.

LXIV. Sect. 17. Upon Payment by the Parliament of Great Britain, of the full Sum of 40,000 *l.* Sterling, without any Deduction, and of all Arrears of the Annuity of 2000 *l.* then the said Annuity shall cease.

LXV. Sect. 18. The said yearly Funds of 10,000 *l.* and 2000 *l.* and other Payments by this Act directed, shall be in full Discharge of all Equivalents that may be claimed on Behalf of Scotland by Reason of the said Treaty, or otherwise

and the united Kingdom, or any the Revenues thereof, shall not be liable to any further or future Demands of any such Equivalents, or to the Expence of keeping or rendering any farther Accounts thereof (the said yearly Funds and other Payments by this Act appointed always excepted.)

LXVI. *Seff.* 19. The present Commission for stating the Debts due to Scotland by Way of Equivalent, and the Salaries and other Charges thereof, shall be continued till *Midsummer*, 1719.

LXVII. *Seff.* 20. His Majesty's Subjects in Scotland shall not be answerable for any Deficiency which happen'd in the Provision that should have been made by the Parliament of Scotland for the publick Charge and Service of the Year 1707.

LXVIII. *Seff.* 21. Over and above the said Annuity of 10,000 *l.* there shall be paid to the Corporation and their Successors, till the said annual Sum herein before settled, shall be redeemed, or to such Persons as shall be appointed under the common Seal of the said Corporation to receive the same, the farther annual Sum of 600 *l.* for the Charge and Management in receiving and distributing the said Annuity of 10,000 *l.* which annual Sum of 600 *l.* shall be paid out of the same Funds, at such Times, in such Manner, and by the same Ways, &c. as are hereby prescribed for Payment of the said Annuity of 10,000 *l.* per Annum.

LXIX. *Seff.* 22. In all Cases where it shall appear to the Barons of the Exchequer in Scotland, that any of the before-mention'd Debentures have been lost, burnt, or otherwise destroy'd, it shall be lawful for the said Barons, or any three of them, to make forth new Debentures of the same Tenor and Contents with the Debentures lost, &c. on Security given to the good Liking of the said Barons, by the Persons claiming such Debentures, against all other Persons concerning the Mortgages specify'd therein.

Glasgow.

LXX. Stat. 1 G. c. 44. *Seff.* 1. Enacted, That such and the like Rates, Duties and Impositions, as by the Act pass'd in Scotland on the 15th of June, 1693, and continu'd by another on the 21st of September, 1705, on each Scots Pint of Ale and Beer, brewed or brought in, vended, rapped, and sold within the City of Glasgow, Liberties and Suburbs thereof, (except Ale and Beer brewed and vended in the *Gorbals*, or other Lands within the said City's Privileges, that are taxed to the Publick within the Shire) shall be further continued and payable to the Magistrates and Town-Council of the said City, and their Successors in Office, for their Use; and that after the Expiration of

of the Years contained in the above-mentioned Act pass'd on the 21st of September, 1705, till the first of November, 1738, the said two former Acts, and every Clause, &c. in them contained, now being in Force, shall be continued during the said Term, as fully as if particularly re-enacted in this Act, with the Alterations following only, viz. That, in the Place of the late deceas'd James Duke of Hamilton, and John Walkingshaw of Barrowfield, John Duke of Argyle, Sir James Campbell of Ardkinlas, Daniel Campbell of Shawfield and Henry Cuninghame of Boguhon, Esqrs; shall be Overseers.

LXXI. *Seff.* 2. If so many of the Overseers shall die, as there shall not remain a *Quorum*, yet this and the former Acts hereby continued, as to all other Clauses, &c. shall continue in Force.

LXXII. *Seff.* 3. Out of the Monies arising by the said Impositions, the Magistrates of Glasgow and their Successors in Office are empower'd and required to advance such Sums as shall be judged necessary by the Merchant and Trades-house of the said City, for building a Key on the River Clyde from Broomielaw to Duckat-Green.

Highlands.

LXXIII. *Stat.* 1 G. c. 54. *Seff.* 1. After the first of November, 1716, It shall not be lawful for any Persons within the Shires of Dunbartain on the North-side of the Water of Leven, Sterling on the North-side of the River of Forth, Perth, Kinross, Aberdeen, Inverness, Nairn, Cromarty, Argyle, Forfar, Banff, Sutherland, Caithness, Elgin, and Ross, to have in their Custody, use or bear, Broad Sword or Target, Poynard, Whinger, or Durk, Side-Pistol, or Gun, or any other warlike Weapons, in the Fields, or in the Way, coming or going to, from, or at any Church, Market, Fair, Butts, Huntings, Meetings, or any other Occasion whatsoever, within the said Bounds, or to come into the Low Countries armed, as aforesaid: And if any Person above described, shall have in his Custody, use or bear Arms, being thereof convicted before one or more Justices of the Peace, or other Judge competent of the Place, summarily, he shall, for the first Offence, forfeit all such Arms, and be fined not exceeding 40*l.* nor less than 5*l.* Sterling, and be imprisoned till Payment; which if not instantly paid after Commitment, the said Fine shall be levied out of the Offender's Goods and Estate, by Warrant of the Judge who shall pronounce such Sentence; to be applied, one Half to the former, and the other at the Sight of the Justices where convicted, towards repairing the publick Works in the Shire; and further liable to a Month's Imprisonment: And being convicted

visited for a second Offence, before the Court of Justiciary, or the Judges at their Circuits, shall forfeit such Arms; and be fined not exceeding 80 *l.* nor under ten Pounds Sterling; and for every subsequent Offence, to a Fine double the former, to be levied and applied as above; and for Want of Payment or a sufficient Distress, the Offender shall be liable to be transported to the Plantations for seven Years.

LXXIV. *Señ. 2.* All Trials for the said Offences shall be enter'd in a Record to be kept apart by the Clerk of the Court of Justiciary, or his Deputies; and where an Offender shall be tried for the first Offence before an inferior Court, the Clerk of such Court shall exhibit full Duplicates of every such Trial and Sentence following thereon, signed judicially, to the Judges at their Circuits the next Court after such Trials, to be deliver'd to the Clerk of the Circuit, who is required to enter the same on the Book of Register, to be kept separate in Manner aforesaid; and in forty Days after such Duplicates shall be exhibited and deliver'd as aforesaid. Extracts whereof signed by the said Clerk of Justiciary, shall have the same Force as Extracts from other Registers of Decrees and Acts in Scotland have; And the Clerks of inferior Courts, within the Jurisdiction of any separate Court of Justiciary General, shall forthwith transmit the said Duplicates into the said Court, there to be kept in a Register apart, in Order to the Conviction of such as shall be guilty a second Time, or oftner.

LXXV. *Señ. 3.* If any Clerks of inferior Courts shall neglect to make and sign such Duplicate, or to exhibit the same judicially in the Circuit-Courts, or to deliver the same to the Clerk of the Circuits, or to transmit the same in the Case above-mention'd; or if the Clerk of the Justiciary, or his Deputy-Clerks of the Circuits shall neglect to enter them in the Register; every Clerk so offending shall be liable to a Fine of 10 *l.* Sterling, to be levied as aforesaid.

LXXVI. *Señ. 4.* The Matters above-mentioned shall be Point of Dittay; and the Judges at their Circuits shall enquire concerning the Prosecutions made upon this Act, and the keeping the Duplicates of the Trials, in Manner, as above.

LXXVII. *Señ. 5.* The Clerk of Justiciary, or his Deputy, shall exhibit into that Court the Book of Register above directed, at the first Court after the Judges return from their Circuits, and the Running of the forty Days allowed for filling up the said Register, that all Neglects by not making, exhibiting and delivering Duplicates, or by not entering the same, together with the Proceedings before the Court of Justiciary, or Judges at their Circuits, may be punish'd without Delay.

LXXVIII.

LXXVIII. Sect. 6. The above Prohibition of keeping, &c. any warlike Weapons, and the Penalties aforesaid, shall not extend to Peers of this Realm, nor their Sons, nor any Officers, or their Assistants employ'd in the Execution of Justice; nor shall this Act extend to hinder any Commoner, having the yearly Income of 400*l. Scots*, or more, or who is otherwise qualified to vote at Elections of Parliament-Men for any of the above-named Counties, to have in his Custody or Use, in Manner allowed by Laws now in Force, any Number of Arms, not exceeding two Fire-locks, two Pair of Pistols, two Swords; the Magistrates of every Burgh Royal, to have in their Custody a sufficient Number of Arms for keeping Guard within their Burghs; and the Inhabitants to use the said Arms in keeping Guard: Provided, That the Arms in Burghs Royal be kept in Magazines under the Care of the Magistrates, and not left in private Houses; and that the whole Number in any Burgh Royal shall not exceed two Hundred: Nor shall this Act extend to hinder the Commission Officers of the Army, and the Soldiers under their Command, to keep, use or bear Arms as formerly; nor the Lieutenants of Counties, their Deputies and the Militia, nor sensible Men under their Command, to keep or receive Arms out of his Majesty's Magazines, and to use the same during the Time that the Militia and sensible Men shall be called out by lawful Authority.

LXXIX. Sect. 7. Provided, That the said Lieutenants, &c. return the Arms so received within twenty Days after the Expiration of the Time for which they were called out, under the Penalties above-mentioned.

LXXX. Sect. 8. After the 16th of July, 1716, when a Warrant is granted by a Lord Lieutenant, or two Deputy Lieutenants, of any the Shires or Bounds above-mentioned to search for any Ammunition or other warlike Stores, which they shall judge dangerous to the Peace of the Kingdom, and kept contrary to the Directions of this Act, in Pursuance of an Act passed this Session to that Effect, the Search may be made within the said Shires between Sun-setting and Sun-rising, if the Warrant so direct; and in Case of Resistance or Refusal of Entry, or of the concealing or conveying away such Arms, Ammunition, or other warlike Stores, all Persons, wilfully aiding or being guilty, Art and Part of such Resistance, or Refusal of Entry, &c. shall be liable to a Fine not exceeding 15*l.* nor under 5*l.* Sterling, to be levied as above.

LXXXI. Sect. 9. All Persons within the said Limits, who continued faithful to his Majesty during the late unnatural Rebellion, and are hereby obliged to lay aside their Arms, shall deliver them up to the Lords Lieutenants of their respective Counties, or their Deputies, or such other Persons as his Ma-

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jeſty ſhall commiſſion for that Purpoſe, and ſhall receive the juſt Value of them in Money, in the Manner following, viz. The Lords Lieutenants, &c. ſhall, before the firſt of *Auguſt*, 1716, appoint, by Proclamations at the Market-Croſſes and Pariſh-Churches, proper Places and Times where ſuch Arms ſhall be delivered; and appoint five or more Perſons to receive and value the ſame on Oath, and grant Receipts for them, bearing the Names, Number, and Value of the Arms; which Oath the ſaid Lords Lieutenants, &c. are impower'd to adminiſter: And if any Perſon appointed to receive and value the ſaid Arms, ſhall wilfully reſuſe to take the ſaid Oath, or to receive or value the Arms, every Perſon ſo reſuſing ſhall forfeit 100 l. Sterling: And in forty Days after the Receipt of ſuch Arms, the Lords Lieutenants, &c. are commanded to tranſmit the ſame to ſuch Places as his Maſteſty ſhall direct, with a ſigned Liſt of the Names and Designations of the Perſons who delivered them, and their particular Values: And the Collectors of the Land-Tax or Excife within the ſaid Counties, are commanded to pay the Sums contain'd in the Receipts, out of the firſt Monies in their Hands; which Receipts, indorſed by the Perſons to whom they were firſt granted, are hereby ordered to be paſſed to the Credit of the ſaid Collectors, at making up their Accounts.

LXXXII. *ſeſ. 10.* After the firſt of *Auguſt*, 1717, and all Time thereafter, the annual Value of the Services, called Personal Attendance, Hoſting, Hunting, Watching and Warding, due by Vertue of any Charter, Contract, Cuſtom, or Agreement whatſoever, ſhall be paid in Money annually inſtead of them.

LXXXIII. *ſeſ. 11.* The Perſons to whom ſuch Services are due, and thoſe by whom they are payable, ſhall each for themſelves agree mutually for the annual Value, or by Arbitrators choſen by their mutual Conſent; and if they cannot agree in that Manner, either Party may apply to the Lords of the Seſſion at *Edinburgh*, by Bill or Petition, to have the ſaid annual Value aſcertained by them; and the ſaid Lords of Seſſion are ſummarily to determine the ſame, after having heard both Parties, or ſummoned and given them Time to compare.

LXXXIV. *ſeſ. 12.* And for preventing the like Abuſes in Time to come, all Clauſes in Charters, &c. whereby the ſaid Services are contracted for, and all Obligations to pay the ſaid Services, ſhall, after the firſt of *Auguſt*, 1717, be void and null, and ſo remain in all Time to come.

LXXXV. *ſeſ. 13.* Provided, That nothing in this Act ſhall enervate or take away any other Clauſe or Article in the ſaid Charters, &c. beſides thoſe Clauſes by which the ſaid Services of Personal Attendance, &c. are payable.

LXXXVI. *Stat.* 14. Provided also, That the said Agreements by mutual Consent, or by Arbitrators, or failing of these, the Sentences of the Lords of Session interposing, whereby a Sum of Money shall be determined to be paid annually, instead of the said Services of Personal Attendance, &c. shall have the same Force in Law, as if the said Sum of Money ascertain'd as above, were insert as payable in the said Charters, &c.

LXXXVII. *Stat.* 15. The Lords Justice Clerk, and Commissioners of Justiciary, and all other Persons concerned, are hereby exonerated and indemnify'd for not performing the Circuit in May, 1706, as by the Act 6 A. c. 6. they were obliged to do.

LXXXVIII. *Stat.* 16. Such Persons as his Majesty shall appoint under his Sign Manual, shall, on or before the first of December, 1716, lay before his Majesty an Account of the proper Places for establishing Schools, and of the necessary Salaries for the Maintenance of them, that all needful Provision may be made for that End.

Highways, Bridges, and Ferries.

LXXXIX. *Stat.* 5 G. c. 30. *Stat.* 1. All the Laws now in Force in Scotland, made before the Union, for repairing Highways, Bridges and Ferries, not hereby altered or repealed, shall be duly put in Execution; excepting such Acts, or any Part thereof, made before the Union, as relate to the Powers of the Privy Council of Scotland.

X. *Stat.* 2. The Justices of Peace and Commissioners of Supply in the several Shires and Stewartries shall convene at the Head Boroughs on the third Tuesday of May next to come, and thence forward on every third Tuesday of May yearly, with Power to them or any five of them to adjourn themselves, and to choose Clerks, Surveyors, Overseers, and other Officers necessary for putting the Laws in Execution, relating to the Highways, Bridges and Ferries: And if any Clerk, Surveyor, or Overseer shall refuse to accept of the said Offices, every such Person so refusing, shall be liable to the Penalty of 5 l. Sterling.

XI. *Stat.* 3. The said Justices, Commissioners, or the Officers or Overseers to be appointed by them, are required to convene the Tenants, Cottars, and other labouring Men within their respective Bounds, to work three Days before the last of June, 1719, not being in Seed-time, and three Days after Harvest; and so every Year till the Highways, &c. are sufficiently repaired, on such Days, and at such Places, as the Commissioners or their Officers shall appoint.

XCII. *Sett.* 4. Every Tenant, &c. failing to come to work at the Times and Places appointed (on due Notice at the Parish-Churches where such Persons reside, on the Lord's Day immediately preceding) shall pay 18 d. for every Day's Failure; unless he send a sufficient Man to work for him: Which Penalty shall be levied by Warrant under the Hands of any two Justices or Commissioners of Supply, on a Certificate under the Hand of the Overseer, or other proper Officers, that such Person was absent: Which Justices or Commissioners are authorized to cause their Officers to distress and poynd the readiest Goods of any Person so absent for the Penalty aforesaid, rendring the Overplus to the Owner, the Charges of such Distress being deducted.

XCIII. *Sett.* 5. The Surveyors and Overseers shall, every six Months after the Acceptance of their Office, or sooner, if required thereto by Warrant under the Hands of two Justices, survey all the Highways, Bridges and Ferries, within the Precinct where they are Surveyors, and give a particular Account in Writing of the Condition of such Highways, &c. and more especially of Defects and Nuisances made, or Encroachments committed on the Highways, as also what Repairs are wanting, to the Justices and Commissioners of Supply, at their first Meeting thereafter; that they may have full Information of the Condition of all the Highways, &c. within their respective Shires and Stewartries; to the End the several Laws on that Behalf may be duly executed: And all Surveyors and Overseers neglecting to give such Account, or to prosecute Offenders against this Act, shall suffer the same Penalties as if they refused to execute the said Offices.

XCIV. *Sett.* 6. The Justices and Commissioners of Supply shall draw up a Report of the Condition of the Highways, &c. within their Bounds yearly, containing an Account of the Number of Men and Horses, employ'd in amending the Highways, &c. for the Year preceding; which Report they shall deliver to the Lords of Justiciary at their Circuits, to be recorded in their Journals (beginning with the first Circuit in the Year 1720) by the Clerks of the Commissioners of Peace, or by the Clerk of the Supply of their respective Bounds.

XCV. *Sett.* 8. The Penalties in this Act (other than such as shall be incurred by the Tenants, &c.) shall be levied by Sentence of the Justices and Commissioners of Supply, or any five of them; and the Expences of the Prosecution shall be defray'd by the respective Shires and Stewartries, at the Suit of such Surveyors or Overseers, as the said Justices and Commissioners shall appoint; and such Penalties shall be applied for repairing such Highways, &c. in the respective Shires where such Penalties shall be incurred, as the Justices or Commis-

ners of Supply shall appoint; and in Default of such Appointment, for repairing such Highways, &c. as the Lords of Justiciary in their Circuits shall direct.

XCVI. *Stat. 9.* Provided, That no Person shall be prosecuted for any Offence against this Act, unless such Prosecution be begun within a Year after the Offence committed.

Inverness.

XCVII. *Stat. 5 G. 4. 17.* *Stat. 1.* Enacted, That after the first of June, 1719, for nineteen Years, and to the End of the then next Session of Parliament, there shall be laid the Duty of two Pence *sterling*, or the sixth Part of a Penny Sterling, above the Excise payable to his Majesty, on every *Scott* Pint of Beer and Ale, brewed, vended or sold in the Town of Inverness, and Privileges thereof, to be paid by the Brewers or Venders to the Magistrates and Town-Council of that Town, and their Assigns, for the Use of the Community.

XCVIII. *Stat. 2.* The Provost, Bailiffs and Town-Council of Inverness, shall be Trustees for paying the Debts of the Town, and for enlarging the present Church, or building a new one, and for maintaining Ministers for the same, and for making and deepning the Harbour, and repairing and maintaining the same, and for collecting and disposing the Money which shall arise by the said Duty; and they are to order one or more Officers to gauge the Vessels, which the Brewers are to permit to be done, as the Officers of Excise are allow'd to do.

XCIX. *Stat. 3.* The Monies arising by the said Duty shall be paid to such Persons as the Trustees shall appoint, and the Persons so appointed shall dispose thereof; as the Trustees shall direct.

C. *Stat. 4.* The Trustees shall apply the Money for discharging the publick Debts of the Town, and enlarging the present Church, or building a new One, and for maintaining Ministers there, and for repairing and deepning the Harbour, and for making such other necessary Works as shall be proper for preserving and maintaining the same.

CI. *Stat. 5.* Books shall be prepared, in which all Payments and Disbursements shall be enter'd; and once in every Year, viz. within thirty Days after the first of June, 1719, and so successively, within thirty Days after the first of June yearly, the Accounts from those Books shall be drawn out, and stated by the Collector, and deliver'd to the Trustees on Oath.

CII. *Stat. 6.* The Trustees, by Act of Town-Council, may assign over the Duty, as a Security for any Sums by them borrow'd, at such Interest as shall be conformable to the Acts of

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Parliament for settling of Interest; which Money shall be apply'd only for the Purposes, as the Duty arising by this Act, is to be apply'd to.

CIII. The 7th, 8th, 9th, 10th and 11th Sections of this Statute are *verbatim* the same, as the 7th, &c. Sections of the Act 5 G. c. 16. which see above, *Par. XVI, &c.*

CIV. *Seß. 12.* Brigadier Alexander Grant, Hugh Ross of Kilravock, John Forbes of Cossuden, Robert Murray of Fowler Elgrie, Duncan Forbes, Advocate, James Frazer of Auchingadune Esq; together with the Knight of the Shire for the County of Downess, and also the Burgesss for the District of Boroughs, (whereof Inverness is one) for the Time being, are appointed Overseers, and any four or more of them are to meet at Inverness, on the third *Wednesday* in August, 1719, and on the same Day yearly thereafter, &c. *verbatim* as in the Act 5 G. c. 16. which see above, *Par. XXI.*

Oaths.

CV. *Stat. 1 G. c. 20. Seß. 13.* After the first of *October* next to come, no Peer of this Realm shall be capable of acting as Lieutenant or Deputy-Lieutenant, in Scotland, unless he shall first, before six Lords of the Privy-Council, or such other Persons as shall be authorized by his Majesty to administer the same, take and subscribe the Oaths of Allegiance and Absuration, and subscribe the Assurance appointed by Law for Persons having Offices or Places of Trust: And after the said first of *October*, no Person under the Degree of a Peer of this Realm, shall be capable to act as a Lieutenant, Deputy-Lieutenant, or other Officer in Scotland, unless he shall first take and subscribe the Oaths and Assurance aforesaid; which Oaths and Assurance any one Justice of the Peace of the respective Shires or Stewartries is enabled to administer to the Deputy-Lieutenants, not being Peers; and the said Lieutenants, or in their Absence, or when not absent, by their Directions, any two of their Deputies are enabled to administer the said Oaths and Assurance to the said Officers.

CVI. *Seß. 14.* Such Persons who, in Pursuance of this Act, have taken and subscribed the Oaths and Assurance aforesaid, shall not be farther obliged to do the same by Virtue of any other Law; and the said Persons Taking and Subscribing of the said Oaths and Assurance shall be certify'd into the next Quarter-Sessions held for such Shire or Stewartry, together with the original Subscriptions of the same.

CVII. *Seß. 15.* Persons acting as Lieutenants, &c. neglecting to take and subscribe the Oaths and Assurance as aforesaid, for three Months after, shall be liable to the Penalties and

Disabilities, as Persons executing Offices of Trust, after three Month's Neglect of taking and subscribing the Oaths as appointed by Law.

CVIII. Stat. 16. After the 10th of September next to come, an Act made in England, 1 W. & M. c. 15. intituled, *An Act for the better securing the Government by disarming Papists and repared Papists*, shall be in Force in Scotland; excepting only that in Lieu of the Declaration mentioned in that Act, the Oaths of Allegiance and Abjuration shall be taken and subscribed; and the Declaration called the *Formula*, recited in an Act of Parliament of Scotland, pass'd in the Year 1700. intituled, *An Act for preventing the Growth of Popery*, shall be likewise subscribed; and the Counties, Ridings or Divisions, mention'd in the aforesaid Act, shall be understood in Scotland to be Shires or Stewartries; and nothing in the said Act shall be construed to establish any Office which is not now in Being in Scotland.

CIX. Stat. 5 G. c. 29. Stat. 11. Every Person who has obtained Licence, and been admitted to preach by any Presbytery in Scotland, and has not taken the Oaths to the Government; or who, after the first of June, 1719, shall present himself to be tried as to his Qualifications to be licensed or admitted to preach, or to be ordained a Minister of the Church of Scotland, shall, before the said Day, or his obtaining such License, &c. take and subscribe, in the Court of the Lords of Session, or the Court of Justiciary, or Exchequer, or before the Justices at their Quarter-Sessions for any Shire, &c. or before Sheriffs or Stewarts, or their Deputies, in open Court held for their Shire or Stewartry, within which Shire, &c. such Person has Residence, or within which the Presbytery he presents himself to, shall be held, the following Oath, viz.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my Conscience, before God and the World, That our Sovereign Lord King George is lawful and rightful King of Great Britain, and all other his Majesty's Dominions thereunto belonging; And I do solemnly and sincerely declare, That I do believe in my Conscience, That the Person pretended to be Prince of Wales, during the Life of the late King James, and since his Decease, pretending to be, and taking upon himself the Style and Title of King of England, by the Name of James the Third, or of Scotland, by the Name of James the Eighth, or the Style and Title of King of Great Britain, hath not any Right or Title whatsoever to the Crown of this Realm, nor any other the Dominions thereto belonging: And I do renounce, refuse and abjure any Allegiance or Obedience to him; And I do swear, That I will bear faithful and true Allegiance to his Majesty King George, and him will defend, to the utmost of my Power,

Power, against all traitorous Conspiracies and Attempts whatsoever, which shall be made against his Person and Government; And I will do my utmost Endeavour to disclose and make known to his Majesty and his Successors, all Treasons and traitorous Conspiracies which I shall know to be against him, or any of them; And I do faithfully Promise, to the utmost of my Power, to support, maintain, and defend the Succession of the Crown in the Heirs of the Body of the late Princess Sophia, Electress and Dutches of Hanover, being Protestants, against him the said James, and all other Persons whatsoever. And all these Things I do plainly and sincerely acknowledge and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, Mental Reservation, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment, Abjuration, Renunciation, and Promise, heartily, willingly and truly.

So help me God.

Which Courts shall administer the said Oath to such as shall tender themselves to take it; And the Clerks of such Courts shall grant Certificates, bearing the Day and Date of taking such Oaths, and Names of Commissioners of the Peace present, and the Name and Description of every Person who shall take such Oaths; for which Certificate there shall be no more paid than 2 s.

CX. Sect. 2. Every Person who shall present himself in Order to Trial for obtaining License to preach, or to be ordained a Minister of the Church of Scotland, shall cause to be recorded in the Book of the Sheriff, or Stewart-Court, within the Jurisdiction of which is the Seat of the Presbytery, where he shall present himself, a Certificate of his having taken and subscribed the said Oath.

CXI. Sect. 3. No Person shall take upon him to preach, read Prayers, or perform any Part of Divine Service in any Episcopal Meeting-house, or Congregation in Scotland, where nine or more shall be present, besides those of the Household, or to supply the Place of Pastor or Minister in any such Congregation, but such who shall pray in express Words for His most excellent Majesty King George, their Royal Highnesses the Prince and Princess of Wales, and their Issue, and shall have taken and subscribed the said Oath, in one of the Courts of Session, Justiciary, or Exchequer in Scotland, or before the Justices at the Quarter-Sessions, or Sheriffs or Stewarts of any Shire or Stewartry, within which such Person is resident, or the Meeting-house is situated; which Oath the said Judges, &c. shall administer, and the Clerks of the Court respectively shall grant Certificates as above directed.

CXII. *sess. 4.* If any Expectant of Divinity shall apply to any Presbytery or Church Judicature, in order to be ordained or licensed to preach, without having caused to be recorded, as aforesaid, a Certificate of his having taken the Oaths, he shall be liable to six Months Imprisonment, and be incapable of enjoying any Benefice, &c. for one Year, to be reckoned from the Time he shall take the said Oaths after having obtained License to preach; and all civil Magistrates are impowered to hinder any such Person to preach within their respective Jurisdictions: And if any Person shall presume to preach, &c. in any Episcopal Meeting-house in Scotland, without praying in express Words for the King, &c. as above directed, he shall be liable to six Months Imprisonment, and every Meeting-house, where such Offence shall be committed, shall be shut up for the like Time.

CXIII. *sess. 5.* One Moiety, not exceeding a Half-year's Stipend of the respective Parishes concern'd, of such Penalties as shall be incurred by Vertue of this Act, shall go to the Informer, and the other to the Poor of the Parish where the Offence shall be committed; and the said Penalties shall be recoverable by Way of Action or Summar Complaint, without abiding the ordinary Delays of Process, and no Advocatum, Suspension, or other Stop of Prosecution, before any inferior Court, shall be of any Force in Law, unless upon Production of a Certificate, That the Person prosecuted has taken the Oaths above directed.

CXIV. *sess. 6.* All Ministers of the Church of Scotland shall be acquitted of the Offences of having preached without taking and subscribing the said Oaths and Assurances, and of all Forfeitures, &c. incurred on that Account, by the Act c. 12. or by any other Act.

CXV. *sess. 7.* All Persons, who now are, or hereafter shall be, ordain'd or admitted Ministers of the Church of Scotland, (except such as have taken and subscribed the Oaths and Declarations appointed by the last mentioned Act) shall, by the first of June, 1719, or before their being ordained or admitted, take and subscribe the Oath of Allegiance, and the Assurances, and also the Oath of Abjuration, hereby before directed, in such Manner, before such Judges, in such Courts, and to be so certified, and under such Penalties, &c. as in the said Act of 1 G. c. 13. and the Acts therein mentioned is directed: And every Minister, who in Pursuance of this Act shall take, or of any other has taken, the said Oaths, shall cause a Certificate thereof to be entered in the Books of the Sheriff or Stewart-Courts; and the Clerks of such Courts are required to enter the same, and grant Extracts thereof, without any Fee, other than 2 s. for every such Certificate or Extract.

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CXVI. *Stat. 8.* If any Patron shall, after the said first of *June*, 1719, present to a vacant Church any Person not qualified by taking the said Oath, or who is Pastor of any other Church, or one who shall not accept of the Presentation, within the said Time, such Presentation shall not be accounted any Interruption of the Course of Time, allowed to the Patron for presenting; but the *Jus devolutionis* shall take Place, as if no such Presentation had been offered.

CXVII. *Stat. 9.* Nothing herein contained shall prejudice the Right of the Church, as the same now stands by Law established, as to the trying the Qualities of any Person presented to any Church or Benefice.

Sugar-Houses.

CXVIII. *Stat. 1 G. c. 19. Stat. 19.* Whereas several Exemptions from Customs and Excise are claimed as private Rights by the Proprietors of Sugar-Houses in *Scotland*; and whereas it is prejudicial to his Majesty's Revenue, and to all other Traders in Sugar and Distilling of Spirits, that such Exemptions should continue; and yet it is just that reasonable Satisfaction should be made to the said Proprietors for such private Rights: Therefore enacted, That the Treasury be impower'd to treat with the Proprietors of the said Sugar-Houses for such Sums of Money as may be a reasonable Satisfaction for such private Rights of Exemption from Customs and Excise, to which the Proprietors are intitled.

Superiors, Vassals, &c.

CXIX. *Stat. 1 G. c. 20. Stat. 1.* Enacted, That if any of his Majesty's Subjects of *Great Britain*, having Lands or Tenements in *Scotland*, in Property or Superiority, has been or shall be guilty of High Treason, by holding Correspondence, in Person, or by Letters, Messages, or otherwise, with the Pretender, or with any Person employ'd by him, or shall remit any Money for the Use of the Pretender, whether the said Facts be done within or without this Realm, or has been or shall be adherent to the said Pretender, giving him Aid or Comfort in this Realm or elsewhere, and be thereof duly convicted and attainted, he shall be liable to the Pains, &c. of High Treason; and every Vassal in *Scotland*, who shall continue peaceable, and in dutiful Allegiance to his Majesty, &c. holding Lands, &c. of such Offender, who holds such Lands, &c. of the Crown, shall be vested and seized, and is hereby ordained to hold the said Lands, &c. of his Majesty, &c. in Fee and

and Heretage for ever: And where Lands, &c. belonging to such peaceable Subjects, lie within any Regality or Constabulary in Scotland, the same shall be dissolved from such Regality, &c. for ever: And also every Tenant in Scotland, who shall continue peaceable, &c. bruicking and occupying any Lands, Milns, Mines, Woods, Fishings, or Tenements, as Tenant or Taxman from or under such Offender, shall bruick, &c. all such Lands, &c. for the Space of two Years or Crops, to be accounted from such Attainder, freely, without Payment of any Rent, Duty or Service for the same. And the Court of Exchequer in Scotland is authorized, on Production of such Attainder, to revise, compound, and pass Signatures, and that without paying any Composition, in Favours of such Vassal, &c. his Heirs, &c. of such Lands, &c. to be holden of his Majesty, &c. in Fee and Heretage for ever; and by such Holdings with Clauses of *Nova damus*, and (where such Lands, &c. hold Waird or *Fewtum maritagio*, or with Clauses irritant) with Change of Holdings from Waird to taxed Waird, according to the Rules observed in the Court of Exchequer in Scotland, dispensing with Recognition and Clauses irritant in Favours of the Crown in Time coming in the most ample and best Form, to the End that Chartours and Infeftments may be thereupon duly exp'd.

CXX. *Stat.* 2. If any Subject of Great Britain, holding Lands, &c. of a Subject Superior in Scotland, shall be convicted and attainted of High Treason, his Lands, &c. so holden, shall recognosce and return into the Hands of the Superior, and the Property shall be consolidated with the Superiority, in the same Manner as if the said Lands, &c. had been by the Hands of the Vassal resign'd into the Hands of the Superior *ad perpetuum remanentiam*: And in Case any Tenant or Taxman, bruicking, &c. any Lands, Milns, &c. shall be convicted and attainted of such High Treason as aforesaid, the Title by which he bruicks, &c. shall become void; and the Lands, Milns, &c. so bruicked, &c. together with the single and Life-Rent Escheat of such Tenant, &c. shall return to and be enjoy'd by the Person from whom such Title is derived, who shall continue peaceable and faithful to his Majesty, &c.

CXXI. *Stat.* 3. If the Superiors, Vassals or Tenants, to whom the Lands, &c. are ordain'd to belong, shall not within six Months, to be reckon'd from the Time of the Attainder of the Offenders respectively, obtain themselves infeft, or do Diligence really and without Collusion for attaining Possession, in every such Case the Forfeitures shall belong to his Majesty, &c.

CXXII. *Stat.* 4. Provided, That none of his Majesty's Subjects, whether Superiors, Vassals or Tenants, shall have the Benefit of this Act, except such who being lawfully called out

to join with his Majesty's Host in Opposition to the Pretender or his Adherents, shall do the same; or who (not being so called out) shall continue peaceable and dutiful to his Majesty, &c.

CXXIII. *sess. 5.* All Talzies and Conveyances made in Favour of the Grantors Children, or other Heirs of Talzies or Trusts, Securities or Alienations of any Estates or Inheritances made in *Scotland*, in the Name of whatsoever Person or Persons, since the first of *August*, 1714, or that shall be made in Time coming, by any Persons convicted and attainted of such High Treasons aforesaid, shall be, and they are hereby declared void; excepting such Deeds, &c. as have been made since the Time aforesaid, or shall be made in Time coming, for just and onerous Causes, such Causes being alway otherwise instructed than by the Writings themselves.

CXXIV. *sess. 6.* From and after the first of *September*, 1715, till the 23d of *January* following, the King's Advocate, or in his or his Deputy's Absence, his Majesty's Solicitor in *Scotland*, shall, on a Warrant under his Majesty's Hand or Sign Manual, or Warrant from such Person as his Majesty shall empower under the Seal appointed by the Treaty of Union to be kept in *Scotland* in Place of the Great Seal, apply to the Lords Justice General, Justice Clerk, or Lords Commissioners of the Justiciary, craving that Letters may be issued; and, (upon Production of such Warrant) the said Lords Justice General, &c. are hereby required to cause Letters to be issued in his Majesty's Name, and at the Instance of his Advocate or Solicitor, commanding such Persons as have their Estates or Residence in *Scotland*, to appear at *Edinburgh*, or any other Places, and at such Times as his Majesty, or the Persons so empower'd, shall appoint; and if his Majesty, &c. shall think fit, then and there to find Bail for their loyal and peaceable Behaviour, and to appear when and where they shall be appointed; and in Case of Contempt or wilful Disobedience, every such Person being charged by Authority of such Letters as is above directed, shall incur the Penalty of single and Life-Rent Escheat, to his Majesty's Use, and be fined 500*l.* Sterling, and be liable to one Year's Imprisonment; which Letters are to contain a Warrant for citing such Persons, being in *Scotland*, personally, or at their Dwelling-houses; and in Case of Disturbance or Opposition made to the Messengers or Witnesses employ'd in such Service, to cite in the same Manner as by the Law of *Scotland*, where there is no *ritus accessus*, is directed, upon seven free Days for Persons living on the South-side of the River *Tay*, to appear at *Edinburgh*; and upon fifteen free Days for Persons living on the North-side of the said River; and where such Persons are not in *Scotland*, upon sixty Days.

CXXV.

CXXV. *Seß. 7.* If any Subject of *Great Britain*, having Lands or Estate in *Scotland*, held Waird of the Crown, or of any Subject Superior, as well Vassal as Sub-Vassal, shall happen to be killed in his Majesty's Service, against the Pretender and his Adherents, or to receive Wounds whereof he shall afterwards die, the Heir of such Person shall be free of the Duties and Casualties of Waird, Relief and Marriage on Account of such Estate: Excepting only, That it shall be lawful for his Majesty, &c. where the Lands are held of the Crown, and to the Superior, where the Lands are held of a Subject, to appoint the said Casualties of Waird, &c. to be apply'd for Provision of the Wife and younger Children, due Consideration being always had to the Condition of the Heir.

CXXVI. *Seß. 8.* No Attainder on Account of the High Treason above-mentioned, shall exclude the Right of any peaceable or dutiful Creditor, for Security or Payment of any just Debt, contracted before the Commission of any of the said Crimes.

CXXVII. *Seß. 9.* No Person shall be capable of being a Witness against any Person, by whose Attainder, Conviction, or Forfeiture, by Virtue of this Act, any Benefit shall or may accrue to such Witness.

CXXVIII. *Seß. 10.* The respective Lieutenants in *Scotland* shall, over and above their Power of commanding the Militia, &c. be enabled by themselves, or any two of their Deputies, to grant Warrants under their Hands and Seals, appointing such Persons as they shall think fit, (of which a commissioned Officer, and the Constable or his Deputy, or in their Absence some other Person bearing Office in the Shire or Stewartry, where the Search shall be, shall be two) to search for and seize all Arms, Ammunition, and other warlike Stores, in the Possession of any Persons whom the said Lieutenants, or any two of their Deputies, shall judge dangerous to the Peace of the Kingdom, and to secure such Arms, &c. for the public Service, and thereof to give Account to the said Lieutenants, or two of their Deputies.

CXXIX. *Seß. 11.* Provided, That no such Search shall be made in any House between Sun-setting and Sun rising, except in Cities and their Suburbs, Boroughs Royal, Boroughs of Regality and of Barony, where Search may be made in the Night-time, if the Warrant shall so direct: And that no Dwelling-house of any Peer shall be searched, but by immediate Warrant from his Majesty, under his Sign Manual, or in Presence of the Lieutenant, or one of the Deputy-Lieutenants of the same Shire or Stewartry: And that in all Places, where Search is to be made as aforesaid, it shall be lawful, in Case of Resistance, to enter by Force; and that the Arms so seized

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may be restored again, if the Lieutenants, or in their Absence any two of their Deputies, shall so think fit.

CXXIX. *Stat. 12.* All Magistrates and other Officers within the said Shires, Stewartries, &c. are required to be aiding and assisting the respective Lieutenants, &c. in Execution of the Premises; and all Persons so acting shall be hereby saved harmless.

Tule-Vacance.

CXXX. *Stat. 1 G. c. 28.* Enacted, That the Act 10 A. c. 13. intituled, *An Act for repealing Part of an Act passed in the Parliament of Scotland, intituled, An Act for discharging the Tule Vacance*, shall be and is hereby repealed and made void.

Seamen.

I. *Stat. 1 G. c. 25. Sect. 1.* Whereas divers Fightings, Quarrels and Disturbances do often happen in and about his Majesty's Yards, &c. and frequent Differences and Disorders are occasioned in and about the Office of the Treasurer of the Navy, on Pay-days, in London, Portsmouth, and other Places of Meeting for the Service of the Navy, by the unreasonable Turbulency of Seamen, &c. Therefore enacted, That the Treasurer, Controller, Surveyor, Clerk of the Acts, and the Commissioners of the Navy, or one of them, shall, after the 1st of September, next ensuing, have Power by Warrants under their Hands, and Seals, to cause all such Offenders to be apprehended and brought before them, and to examine and punish all such Persons, whom upon their Enquiry and Examination of Witnesses on Oath, or Confession of the Parties accused, or on View in their Presence, they shall find to make or have made any Disturbances, &c. in any the Yards, &c. at Pay-Days, or on other Occasions relating to the Naval Services; and may punish any the said Offenders, either by Fine or Imprisonment, the Fine not exceeding 20 s. nor the Imprisonment one Week; such Imprisonment to be to the next Gaol, or to the Custody of the Messengers attendant on them: And the said principal Officers or Commissioners may discharge such Fine or Imprisonment, if they think fit; and for Non-payment of such Fine, may send such Offender to the next House of Correction, there to be kept to hard Labour for two Months, without Bail or Mainprize; which Fines shall be paid to the Chest at Chatham, for the Use of the maintained Seamen.

II. *Sett.* 2. The said Officers, &c. (in Cases where greater Punishments are needful,) may also bind the Persons so offending to their Good Behaviour, and to answer the Offences at the next Assizes or Quarter-Sessions of the County, &c. with or without Securities, as Occasion shall be, and in Default of such Security when required, may commit them to the County-Gaol, in order to their being prosecuted for the said Offences at the next Assizes or Quarter-Sessions for such County, &c. See the rest of this Act in Tit. Naval Stores and Piracy.

Senna.

I. Stat. 1 G. c. 43. Part inde. *Sett.* 3. Whereas for the better adjusting the Duties on Goods used in Dying by the Act 3 A. c. 4. For continuing the Duties on Low Wines, &c. it is declared what Goods are meant to be used in Dying, among which Senna is contained: Nevertheless it being notorious that Senna is not or ever was used in the Dying Trade, but was inserted in that Act by Mistake, to the great Loss of his Majesty's Revenue in the Duties intended to be paid for the same; therefore for the Prevention thereof for the Future it is enacted, That all Senna imported into Great Britain, after the 9th of May, 1716, shall be subject to the Payment of the Duties charged in the Book of Rates, annexed to the Act of Tonnage and Poundage (12 G. 2. c. 4.) and several other Acts for increasing and continuing the same, and to all the Duties laid by other Acts, as if the Exemptions in the several Acts for Drugs used in Dying had not been therein inserted.

II. *Sett.* 4. All Merchants, Druggsters, &c. who sell or retail Senna, having in their Possession, or in the Possession of any in Trust for them, any Stock of Senna, on the 9th of May, 1716, (such Stock exceeding twenty Pounds Weight) being for Sale, shall pay for every Pound of such Senna, so much as will make the Duties thereof equal to the Duties intended by this Act, to be paid for Senna hereafter imported; and to be paid in three Months after the 9th of May, 1716.

III. *Sett.* 5. All the said Merchants, &c. shall, on or before the 25th of June, 1716, make a just Entry thereof at the Custom-house next the Place where such Senna remains, and permit the proper Officers, at any Time before the said 25th of June, to enter into their Warehouses, &c. and to weigh and take an Account of the same; and if any such Merchants, &c. shall neglect to make such Entry, or refuse to permit such Officers to enter their Warehouses, &c. (if thereto required) or shall hide or convey away the said Senna with Intent to defraud his Majesty, or shall not pay his Majesty's Dues for the same, then, for every such Offence, the Merchant, &c. shall forfeit

40 l. to be recovered and distributed as any Penalties and Forfeitures for Non-payment of Duties on the Importation of Senna are to be, by any Acts now in Force, relating thereto. Provided, That if such Persons, so chargeable for any Stocks of Senna, shall pay the Duties for the same by Vertue of this Act, within three Months, they shall be allow'd for such Prompt Payment, after the Rate of 10 l. per Cent. per Annum, for every Sum so advanced: And in Case of Exportation thereof, within three Months after Entry made as aforesaid, the Duties payable by this Act shall be discharged or repaid.

Sheriffs.

I. Stat. 3 G. 6. 15. Sect. 1. For the greater Ease of Sheriffs in the Execution of their Offices, and passing their Accompts, enacted, That the Officers of the Courts of Chancery and Exchequer, the Auditors and Receivers of the Crown-Revenue in Wales, and their Substitutes, &c. and all other Officers claiming any Fee or Reward from Sheriffs, Deputy or Under-Sheriffs in any County in England or Wales, for making out their Patents, or the *Dedimus* for swearing them, or for entring their Recognizance, or for writing out and Return of their Process, or for their Apposals or casting out of Court; or for passing their Accompts, or for making their *Quittus*, or for any other Matter concerning their Sherifffalty, may, after the first Day of Michaelmas-Term, 1717, take the Fees in the Schedule hereafter specify'd; all which Fees the said several Officers may claim and receive; but shall not demand or take any greater Fee or Reward touching the Premises in the said Schedule mentioned, on Penalty of 5 l. and treble the Sum by him taken above the Fees in the said Schedule, together with treble Costs to the Party grieved; all which shall be awarded and given to the said Party by the Court of Exchequer, on Complaint and Proof thereof before the Barons of that Court, in such summary Way as to them shall seem meet.

II. Sect. 2. The Lord High Treasurer, or Commissioners of the Treasury, the Chancellor and Chief Baron of the Exchequer, and the other Barons or any two of them, shall and may, at the Request of any Sheriff, or as often as they shall think fit, call before them the Treasurer's Remembrancer, the Clerk of the Pipe, or their Deputies, Secondaries, and such other Officers as they shall think fit, and cause them to bring before them an Account or Particular of all the Rents and Certainties written out yearly in Processes to the Sheriffs, to levy for the Crown; and may alter, diminish or establish the Sums where-with the Sheriffs stand charged on the Rolls of Profers, to such moderate Sums as to them shall seem just and reasonable, with

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Regard to the Amount or Value of the Rents in each County; and the Orders of the Court of Exchequer shall be drawn up pursuant thereto, and enter'd on Record in the several Offices of the King's Remembrancer, the Treasurer's Remembrancer, and the Clerk of the Pipe, some Time before the last Day of Michaelmas-Term then following; and the Sums so settled shall be deemed to be the Profers of each County, and the Rolls of Profers shall be made conformable thereto; and the said Sums, and no others, shall be paid by the Sheriffs for their Profers, at the Days and Times, and in the Manner formerly used.

III. *Stat. 3.* After the 9th of July, 1717, all Sheriffs, who shall levy any Debts, &c. except Post-Fines, due to his Majesty by Process upon the Summons of the Pipe or Greenwax, by *Levaver facias* out of the Exchequer, shall, for their Pains, Charges and Encouragement therein, have an Allowance on their Accompts of 12 d. out of every 20 s. for any Sum not exceeding 100 l. so by them levied; and 6 d. only for every 20 s. above the first Hundred Pounds; and for all Debts, &c. except Post-Fines, due to his Majesty by Process and *Fieri facias*, and *Extens*, issuing out of the Exchequer, the Sum of 1 s. 6 d. out of every 20 s. for any Sum not exceeding 100 l. so by them levied; and 12 d. for every 20 s. over and above the first 100 l. Provided, such Sheriff shall answer the same on his Accompt, by the general Sealing-Day of such Term in which he ought to be dismissed the Court, or in such Time to which he shall have a Day granted to finish his said Accompts, by the Chief Baron, or one of the Barons of the Coif of the said Court, and not otherwise.

IV. *Stat. 4.* No Sheriff shall be obliged to charge in his Accompts any Money to be paid as Rewards on the Conviction of Highway-men, Clippers, Coiners, or House breakers, after the 9th of July, 1717, but may immediately apply for the same to the Treasury, who, on a due Certificate of the Conviction of any Offender, for which such Reward shall be ordered to be paid by the Sheriffs, (by Vertue of the Acts 4 & 5 W. & M. c. 8. for encouraging the apprehending of Highway-men, 6 & 7 W. 3. c. 17. to prevent Counterfeiting and Clipping the Coin of this Kingdom, and 5 A. c. 31. for the encouraging the apprehending of House breakers,) together with the Acquittances of the Parties entitled to receive the Rewards, shall forthwith repay to such Sheriffs, the Money so disbursed, without Fee.

V. *Stat. 5.* No Sheriff or Under-Sheriff shall be attached or taken into Custody by any Officer of the Exchequer, or any other Person, for not being apposed on any Writ or Process for not finishing his Accompt in due Time, or for any Neglect or Contempt relating to his Accompt, but by Writ under the Seal of the Court of Exchequer, or by Warrant, to be

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sign'd by one of the Barons of the said Court, and to be executed by the Marshal, or his Deputy; in which Warrant the Name of such Sheriff or Under-Sheriff shall be inserted, and his Offence specify'd.

VI. *Stat. 6.* If after the first Day of *Michaelmas-Term*, 1717, any Officer, Clerk, or other Person, concerned in Passing of Sheriffs Accounts, shall retard any Sheriff in passing them, or by his wilful Neglect or Absence, or other undue Means, prevent any Sheriff from being apposed or cast out of Court in due Time, or after Payment or Tender of his Fees, shall refuse to enrol, make out, sign and deliver his *Quietus* in due Time, he shall make such Recompence to the Party grieved, as shall be decreed by the Barons, on Complaint to them made, in such Summary Way as they shall think fit.

VII. *Stat. 7.* After the first Day of the said *Michaelmas-Term*, if any Sheriff of any County in *England*, (except the Countie Palatine of *Chester*, *Durham*, and *Lancaster*, and the several Counties of *Wales*, which do not pass their Accounts before the Clerk of the Pipe) shall be in Surplusage on his Account by Reason of any Disbursements by him made for the Service of the Crown, (other than the Rewards of 40 *l.* for the apprehending Highway-men, &c.) he shall not be obliged to take out a Record of Surplusage for the same, but may apply to the Treasury for the Payment of such Surplusage, who are hereby required to pay the same, on the Sheriff's producing a Certificate of such Surplusage from the Clerk of the Pipe or his Deputy.

VIII. *Stat. 8.* If any Sheriff shall happen to die before the Expiration of his Year, or before he be lawfully superseded, then the Under-Sheriff shall nevertheless continue in his Office, and execute the same in the Name of the Deceased, till another Sheriff be appointed and sworn; and the said Under-Sheriff shall be answerable for the Execution of the Office, in all Things and to all Purposes, during such Interval, as the High-Sheriff wou'd have been, if living; and the Security given to the said High-Sheriff by the Under-Sheriff, and his Pledges, shall stand a Security to the King and all Persons whatsoever, for the due Performing of his Office, during such Interval.

IX. *Stat. 9.* When any Sheriff shall, by Process out of the Court of Exchequer, extend any Goods, &c. into the Hands of his Majesty, &c. for any Debts due to the Crown, and shall die or be superseded, before a Writ of *Venditioni exponas* be awarded for Sale, or before he has made actual Sale thereof, and a Writ shall afterwards be awarded to a subsequent Sheriff, who by Vertue thereof shall make Sale of such Goods, &c. in such Case the Barons of the Exchequer, if sitting, or if not sitting, they or any one of them of the Degree of the Coif,

shall settle the Fees or Poundage for such Seizure and Sale between such preceding and subsequent Sheriff, as to them shall seem meet, with Regard to the Expence and Trouble each Sheriff had in the Execution of such Process.

X. *Stat. 10.* After the 29th of September, 1719, it shall not be lawful for any Person to buy, sell, let or take to Farm the Office of Under-Sheriff, or Deputy-Sheriff to act in his Stead, Seal-Keeper, County-Clerk, Shire-Clerk, Gaoler, Bailiff, or any other Office pertaining to the Office of High-Sheriff in England or Wales; or to contract for, promise or grant for Money, or other Reward, any of the said Offices or Places; nor to give, take, promise or receive any other Consideration for the same, directly or indirectly, by themselves or any Person in Trust for them, on Forfeiture of 500 l. one Moiety to the Crown, the other to the Prosecutor, to be recovered by Action of Debt, &c. in any Court at Westminster, in which no Effoin, &c. Provided, That such Suit be commenced within two Years after the Offence, and not otherwise.

XI. *Stat. 11.* Provided, That nothing before in this Act shall hinder any High Sheriff from constituting an Under-Sheriff, or a Deputy-Sheriff to act in his Stead, as by Law he may and ought to do: Nor to hinder the Under-Sheriff, in Case of the High-Sheriff's Death, when he acts as High-Sheriff, from constituting a Deputy: Nor to hinder such Sheriff or Under-Sheriff from demanding or receiving the lawful Fees and Perquisites of his Office, or any Place pertaining thereto, or from taking Security for the due answering the same: Nor to hinder such Under-Sheriff, Deputy-Sheriff, Seal-keeper, &c. from accounting to the High-Sheriff, for all such lawful Fees and Perquisites as shall be by them taken in their respective Offices, nor for giving Security so to do: Nor to hinder the High-Sheriff from allowing such Salary to his Under-Sheriff, &c. or other Officers, for the Execution of their Offices as to him shall seem meet: Nor to hinder the Under-Sheriff or other Officers from receiving such Salary for their Pains and Services.

XII. *Stat. 12.* Besides the Penalties in the Act 22 & 23 Car. 2. c. 22 made perpetual by 4 & 5 W. & M. c. 24 the Barons of the Exchequer may amerce such Clerk of Assize, Clerk of the Peace, Clerk of the Commissioners of Sewers, Clerk of the Market, Town-Clerk, and other Persons to whom it belongs to make Return of Estreats into the Exchequer, for neglecting to perform their Duty in returning the Estreats at the Times, and according to the Directions of the said two Acts; and the said Barons may cause the said Amerciaments to be levied, as other Amerciaments set in the said Court have been used to be done.

XIII. *Seff.* 13. No Sheriff, Under Sheriff, Bailiff, or other Person, employ'd in levying and collecting any Debts, Duties, &c. due to the Crown, by Process of the Exchequer, shall take any Fee or Reward of the Persons liable to pay the said Debts, &c. or of any other Person, on Pretence of such levying, &c. except the Sum of 4*d.* only for an Acquittance, which such Officer is hereby required to give to the Person on whom such Debt, &c. is levied: And the Bailiff, &c. receiving such Debt, &c. shall accompt for the same to the Sheriff, and may require an Acquittance from such Sheriff, &c. without Fee; from which Debts, &c. so levied, the Sheriffs shall discharge the Debtors, by totting and answering the same on their Accompts in the Exchequer: And if any Sheriff, &c. shall nichil or not duly answer to the Crown any Debt so levied, he shall for every such Offence forfeit treble Damages to the Party grieved; and double the Sum so nichilled or not duly answered; which Damages and Penalty shall be decreed and given to the Party agrieved, by the Court of Exchequer, on Complaint and Proof of such Abuse before the Barons, in such summary Way as to them shall seem meet. And if any Sheriff, &c. shall demand or take any Sum of Money, be it more or less, from any Person from whom any Debt is payable to the Crown, by Process out of the Exchequer, on Pretence of executing the said Process, or in Respect of Fees due for collecting the same; or if any of the Officers aforesaid shall demand or take any Sum for forbearing to levy any such Debts which are due to the Crown; and written out to them by the said Process, every such Offender shall be and is hereby adjudged guilty of Extortion, Injustice and Oppression; and being thereof lawfully convicted, shall forfeit for every Offence treble Damages and Costs to the Party grieved, and double the Sum so extorted; to be decreed and given by the said Barons, on Complaint and Proof, in a summary Way as to them shall seem meet: Provided such Conviction be had within two Years after the Offence, and not otherwise.

XIV. *Seff.* 14. Provided, That nothing in this Act shall deprive any Sheriff of such Poundage or Allowance, as is hereby given to them; or of such Poundage, Allowance or Reward, as may hereafter be given them by Warrant from the Treasury, Chancellor of the Exchequer, or the Barons of that Court, for any extraordinary Service to the Crown; but the Sheriff may enjoy the full Benefit of such Poundage, Allowance and Reward, without Impeachment or Molestation.

XV. *Seff.* 15. All Orders of the Barons for Costs, Damages and Penalties, in the Cases aforementioned, or in any other Case in this Act hereafter mentioned, in such summary Way as is before directed, shall have the same Effect and Force, to all Intents, as any other Orders or Decrees of the same Court;

and the said Costs, &c. shall be levied by such Process, &c. as are used in the said Court to enforce a Compliance with their other Orders and Decrees.

XVI. *Seft.* 16. For ascertaining the Fees for executing of Writs of *Elegit*, so far as they relate to the extending of real Estates; and for ascertaining the Fees for executing of Writs of *Habere facias Possessionem aut seisinam*, it is enacted, That after the last Day of *Michaelmas-Term*, 1717, it shall not be lawful for any Sheriff, Under-Sheriff, Deputy-Sheriff, or their Bailiffs, or for the Bailiff of any Franchise or Liberty, by Colour of their Office, or by Reason of their executing any Writ of *Habere facias Possessionem*, &c. to demand or receive any greater Fee or Reward, than 12 d. for every 20 s. of the yearly Value of any Manor, Messuage, Lands, &c. whereof Possession or Seisin shall be by any of them given, where the Whole exceeds not the yearly Value of 100 l. and the Sum of 6 d. only for every 20 s. *per Annum* over and above the yearly Value of 100 l.

XVII. *Seft.* 17. After the said last Day of *Michaelmas-Term*, 1717, Poundage in no Case shall be demanded or taken on executing any Writ of *Capiat ad satisfaciendum*, or on charging any Person in Execution by Vertue of such Writ, for any greater Sum than the real Debt amounts to; which Sum the Plaintiff is hereby obliged to mark on the Back of the Writ, before it be deliver'd to the Sheriff to be executed; and if any Sheriff, &c. shall take greater Fees, &c. than is herein before allowed, every such Offender shall be and is hereby adjudged guilty of Extortion, Injustice and Oppression, and being thereof lawfully convicted as aforesaid, shall forfeit to the Party grieved treble Damages, and double the Sum extorted; to be decreed and given to the said Party by the Court out of which such Writ issued, on Complaint and Proof of such Extortion before the Judges of such Court, in such summary Way as to them shall seem meet; and besides the said Damages and Penalties, every Person so offending, and convicted as aforesaid, shall forfeit 200 l. one Moiety to the Crown, the other to the Prosecutor; to be recovered by Action of Debt, &c. in any Court at Westminster, in which no Essoin, &c. Provided such Suit be commenced within two Years after the Offence committed: And provided likewise, That no Person be prosecuted by Vertue of this Act, for any Offence of this Kind, committed before the last Day of *Michaelmas-Term*, 1717.

XVIII. *Seft.* 18. Instead of the Oath usually administer'd to Sheriffs at the Enting on their Offices, the following Oath shall be taken by each of them, except the Sheriffs of Wales, and of the County-Palatine of Chester, viz.

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XIX.
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I A.
Majesty

I A. B. do swear, That I will well and truly serve the King's Majesty in the Office of Sheriff of the County of _____, and promote his Majesty's Profit in all Things that belong to my Office, as far as I legally can or may; I will truly preserve the King's Rights, and all that belongeth to the Crown; I will not assent to decrease, lessen, or conceal the King's Rights, or the Rights of his Franchises; and whenever I shall have Knowledge that the Rights of the Crown are concealed or withdrawn, be it in Lands, Rents, Franchises, Suits, or Services, or in any other Matter or Thing, I will do my Utmost to make them be restored to the Crown again; and if I may not do it myself, I will certify and inform the King thereof, or some of his Judges; I will not respite or delay to levy the King's Debts, for any Gift, Promise, Reward, or Favour, where I may raise the same without great Grievance to the Debtors; I will do Right, as well to Poor as to Rich, in all Things belonging to my Office; I will do no Wrong to any Man for any Gift, Reward, or Promise, nor for Favour, or Hatred; I will disturb no Man's Right, and will truly and faithfully acquit at the Exchequer all those of whom I shall receive any Debts or Duties belonging to the Crown; I will take nothing whereby the King may lose, or whereby his Right may be disturbed, injured, or delayed; I will truly return, and truly serve all the King's Writs, according to the best of my Skill and Knowledge; I will take no Bailiffs into my Service, but such as I will answer for, and will cause each of them to take such Oaths as I do, in what belongeth to their Business and Occupation; I will truly set and return reasonable and due Issues of them that be within my Bailiwick, according to their Estate and Circumstances, and make due Panels of Persons able and sufficient, and not suspected, or procured, as is appointed by the Statutes of this Realm; I have not sold or let to farm, nor contracted for, nor have I granted or promised for Reward or Benefit, nor will I sell, or let to farm, nor contract for, or grant for Reward or Benefit, by my self, or any other Person for me, or for my Use, directly or indirectly, my Sheriffwick, or any Bailiwick thereof, or any Office belonging thereto, or the Profits of the same, to any Person or Persons whatsoever; I will truly and diligently execute the good Laws and Statutes of this Realm; and in all Things well and truly behave my self in my Office, for the Honour of the King, and the good of his Subjects, and discharge the same according to the best of my Skill and Power:

So help me God.

XIX. *Stat. 19.* All Under Sheriffs of any County in Great Britain, except the several Counties in Wales and County Palatine of Chester, before they enter on the Execution at their Offices, shall take the following Oath, *viz.*

I A. B. do swear, That I will well and truly serve the King's Majesty in the Office of Under-Sheriff of the County of _____

and promote his Majesty's Profit in all Things that belong to the said Office, as far as I legally can or may; I will preserve the King's Rights, and all that be ought to the Crown; I will not assent to decrease, lessen, or conceal the King's Rights, or the Rights of his Franchises; and whensoever I shall have Knowledge that the Rights of the Crown are concealed or withdrawn, be it in Lands, Rents, Franchises, Suitts, or Services, or in any other Matter or Thing, I will do my utmost to make them be restored to the Crown again; and if I may not do it of my self, I will certify and inform some of his Majesty's Judges thereof; I will not respite or delay to levy the King's Debts, for any Gift, Promise, Reward, or Favour, where I may raise the same without great Grievance to the Debtors; I will do Right as well to Poor as to Rich, in all Things belonging to my Office; I will do no Wrong to any Man for any Gift, Reward, or Promise, nor for Favour or Hatred; I will disturb no Man's Right, and will truly and faithfully acquit at the Exchequer all those of whom I shall receive any Debt, Duties, or Sums of Money belonging to the Crown; I will take nothing whereby the King may lose, or whereby his Right may be disturbed, injured, or delayed; I will truly return, and truly serve all the King's Writs, to the best of my Skill and Knowledge; I will truly set and return reasonable and due Issues of them that be within my Bailiwick, according to their Estates and Circumstances; and make due Panels of Persons able and sufficient, and not suspected, or procured, as is appointed by the Statutes of this Realm; I have not bought, purchased, or taken to farm, or contracted for, nor have I promised or given any Consideration, nor will I buy, purchase, or take to farm, or contract for, promise, or give any Consideration whatsoever, by my self, or any other Person for me, or for my Use, directly or indirectly, to any Person or Persons whatsoever, for the Office of Under-Sheriff of the County of _____, which I am now to enter upon and enjoy, nor for the Profits of the same, nor for any Bailiwick thereof, or any other Place or Office belonging thereunto; I have not sold nor contracted for, or let to farm, nor have I granted or promised, for Reward or Benefit, by my self, or any other Person for me, or for my Use, directly or indirectly, any Bailiwick thereof, or any other Place or Office belonging thereunto; I will truly and diligently execute the good Laws and Statutes of this Realm; and in all Things well and truly behave myself in my said Office for his Majesty's Advantage, and for the Good of his Subjects, and Discharge my whole Duty according to the best of my Skill and Power:

So help me God.

Which Oath is to be administer'd by such Commissioners, as shall be named to administer the foregoing Oath to the High-Sheriff in the County, as often as a Commission of *Deodimus* shall be sued forth for that Purpose, or by the Barons, or one of them, when the Sheriff desires to be sworn in Town.

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XX. *Seff.* 20. The Sheriffs of *Wales* and the County-Palatine of *Chester*, shall not be obliged to take the said Oaths, or either of them, but shall take the accustomed Oath as formerly, except the Words following, *viz. Ye shall be dwelling in your own proper Person within your Bailiwick, for the Time ye shall continue in the same Office, (except ye be otherwise licensed by the King;)* which Words shall hereafter be left out of the said Oaths.

XXI. *Seff.* 21. Provided, That this Act shall not extend to the Sheriffs of *London* and *Middlesex*, the County-Palatine of *Durham*, the County of *Westmorland*, or to the Sheriffs of any City or Town, being a County of it self, as to their Placing in, or disposing of any of the Offices of their Under-Sheriffs, County Clerks, Bailiffs, or other Officers; or their Continuance therein.

XXII. *Seff.* 22. The Sheriffs of *Wales* shall not be compelled to appear to be apposed in the Court of Exchequer, but shall be apposed before his Majesty's Auditor in the Principality of *Wales*, and not elsewhere; and the *Quietus* of the said Sheriffs under the Auditor's Hand shall be a sufficient Discharge in that Behalf.

XXIII. *Seff.* 23. The Auditors of *Chester*, *Lancaster*, and *Durham*, or their Deputies, shall state and allow the Accompts of the Sheriffs of the said Counties, and appose them respectively touching the Execution of the Process to them directed, called the King's Process; and the said Sheriffs, on such their Accompts, may sue forth and obtain their *Quietus est* from the said Auditors, according to the ancient Usage of the Sheriffs of the said Counties-Palatine only.

XXIV. *Seff.* 24. The Sheriffs of the City of *Chester* shall account as formerly before the Mayor of that City, touching all such Matters as have heretofore been granted from the Crown to the said City, by several Charters.

XXV. *Seff.* 25. The said Sheriffs of the City of *Chester*, as for all other Matters not granted by Charters to the same City, and for which the Sheriffs are accountable to his Majesty, shall account for the same before, and be apposed by, and obtain their *Quietus est* from, the Auditor of the County of *Chester*, or his Deputy, in the same Manner as the Sheriffs of the County of *Chester* are by this Act appointed to do.

The SCHEDULE or LIST in the Act mentioned, viz.

A SCHEDULE of FEES to be paid for passing the Patents of the several Sheriffs of England and Wales.

The Charge taken and received in the Court of Chancery on Account of suing out of the Patents of the several Sheriffs of England and Wales, that are sued out there, for each the Particulars are, as followeth:

	l.	s.	d.
T HE King's Duty for Stamps — — —	—	—	12 6
To the Serjeant Trumpeter — — —	—	—	3 —
To the Master of the Rolls — — —	—	—	8 —
Signing the Docquet — — —	—	—	4 —
Hansper Fee — — —	—	—	15 —
The Six Clerks Fee on the Patent, Writ of Assistance, Writ of Discharge, and <i>Dedimus Potestatem</i> — — —	1	7	—
For Ingrossing the Patent, Writ of Assistance, Writ of Discharge, <i>Dedimus Potestatem</i> , the three Oaths, the Docquet Parchment, and attending the Sealing the Patent — — —	1	14	4
The Recognizance and Duty in a <i>Welsh</i> Patent, <i>ex pte</i> — — —	—	3	6

A SCHEDULE of FEES to be paid by the Sheriffs of *England and Wales* for passing their Accompts.

*FEES to be paid to the Clerk of the Pipe at the Ap-
posal of Sheriffs.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Cant' — — — — —	1	13	4
Cumbr' — — — — —	1	13	4
Ebor' — — — — —	5	—	—
Hunt' — — — — —	1	6	8
Lond' and Mid'sex — — — — —	2	—	—
Lincoln — — — — —	2	13	4
Monmouth — — — — —	1	13	4
Northumber' — — — — —	1	13	4
Rutland — — — — —	1	6	8
Westmor' — — — — —	1	6	8
The rest of the Counties of <i>England</i> , each —	2	—	—

Fees to be paid to the Clerk of the Pipe at casting out of Court, and for the Quietus, and Chancellor's Allowance.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Cant' Hunt' — — — — —	4	3	4
Cumb' — — — — —	2	16	8
Ebor' — — — — —	10	3	4
Kent — — — — —	4	3	4
Lon' Mid'sex — — — — —	5	6	8
Monmouth — — — — —	2	16	8
Northumber' — — — — —	2	16	8
Rutland — — — — —	1	16	8
Westmor' — — — — —	2	3	4
The rest of the Counties of <i>England</i> , each —	3	3	4

Casual Fees to the Clerk of the Pipe for the Allowance of Justices Wages in the Counties following, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Ebor' — — — — —	1	—	—
Lond' Mid'sex — — — — —	—	13	4
Lincoln — — — — —	—	10	—
The rest of the Counties of <i>England</i> , if any such Allowance be made — — — — —	—	6	8

For

For setting of a Seizure or Debt by Petition
or Judgment of Court, when it happens —

For Allowance of a Record of Surplusage for
the first five Pounds — — — — — 6

For every other five Pounds — — — — — 3

*Fees to be paid to the Clerk of the Pipe for the several
Cities and Accompting Towns for their whole Accompt,
and Quietus thereupon.*

Civit' Bristol

Civit' Glouc'

Civit' Ebor'

Vil' Novi Castri

Civit' Cantuar'

Civit' Coventry

Civit' Exon'

Civit' Litchf'

Civit' Lincoln

Civit' Norwic'

Vil' Kingston super Hull

Vil' Not'

Vil' Pool

Vil' South-ton

of each

of each

*Fees to be paid to the Secondaries, and others the sworn
Clerks in the said Office, at the Apposals of the Sheriffs
at the coming into their Accompt, and Writing their
annual Books, together with the Vicontels of the Feet or
Charge of their whole Accompt.*

Bedf'

Berks

Bucks

Cant' Hunt'

Cornub'

Cumbr'

Derb'

Devon

Dorset

Essex

Ebor'

Glouc'

Heref'

each

each

each

each

Bedf'
Bucks
Berks
Cant' I
Cornub'
Cumbr'
Derb'
Devon'
Dors'
Essex
Ebor'
Glouc'
Heref'
Hert'
Kant'
Lincoln
Leic'
Lon' M
Monmo

Hert'

Sheriffs.

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	l.	s.	d.
Hert'	5	6	8
Kant'	6	13	4
Lincoln	4	13	4
Leic'	6	13	4
Lon' Mid'sex, two Sugar-Loaves and	4	—	—
Monmouth	3	—	—
Norf'	6	13	4
North'ton	4	10	—
Northumbr'	4	13	4
Nott'	5	10	—
Oxon'	6	—	—
Rutl'	3	6	8
Surr' }	5	13	4
Suffex }			
Salop }	6	—	—
Suff' }			
South'ton	7	13	4
Staff'	5	13	4
Somerf'	9	6	8
Westmorl'	2	—	—
Warw'	4	16	8
Wigorn'	6	—	—
Wilts	8	—	—

Fees for casting out of Court, and for Quietus, viz.

	l.	s.	d.
Bedf'	6	—	—
Bucks	5	6	8
Berks	5	6	8
Cant' Hunt'	4	13	4
Cornub'	5	13	4
Cumbr'	4	13	4
Derb'	5	6	8
Devon'	8	6	8
Dors'	6	13	4
Essex	11	—	—
Ebor'	23	6	8
Glouc'	7	6	8
Heref'	6	—	—
Hert'	6	13	4
Kant'	11	13	4
Lincoln	6	—	—
Leic'	8	6	8
Lon' Middx', two Sugar Loaves and	4	—	—
Monmouth	3	—	—

North'ton

					l.	s.	d.
North'ton	} each	—	—	—	7	6	—
Norf'		—	—	—	—	—	—
Not'		—	—	—	6	6	—
Northumbr'		—	—	—	4	13	—
Oxon'		—	—	—	8	6	—
Rutl'		—	—	—	2	—	—
Staff'		—	—	—	6	13	—
Surr'	} each	—	—	—	5	16	—
Suffex		—	—	—	—	—	—
Salop		—	—	—	5	6	—
Suff'		—	—	—	6	—	—
South'ton		—	—	—	8	6	—
Somerl'		—	—	—	10	—	—
Westmor'		—	—	—	2	8	—
Warw'		—	—	—	5	10	—
Wigorn'		—	—	—	7	6	—
Wilts'		—	—	—	8	13	—

Fees of Sheriffs for Cities and accompting Towns.

					l.	s.	d.
Civit' Bristol'	—	—	—	—	3	6	—
Civit' Cantuar'	—	—	—	—	2	13	—
Civit' Ebor'	—	—	—	—	5	—	—
Civit' Coventry	—	—	—	—	2	13	—
Civit' Exon'	—	—	—	—	1	10	—
Civit' Glouc'	—	—	—	—	2	13	—
Civit' Lincoln	—	—	—	—	2	13	—
Civit' Litchf'	—	—	—	—	1	6	—
Civit' Norwic'	—	—	—	—	3	6	—
Civit' Wigorn'	—	—	—	—	2	—	—
Vil' Kingston super Hull	—	—	—	—	3	6	—
Vil' Nort'	—	—	—	—	2	—	—
Nov' Castrum	—	—	—	—	2	13	—
Vil' Pool	—	—	—	—	1	10	—
Vil' South'ton	—	—	—	—	3	—	—

Memorandum, The Sheriffs of the Counties-Palatine of Chester and Lancaster do not accompt before the Clerk of the Pipe, but before the respective Auditor of those Counties; but their Books being writ every Year, and Certificates made (of what they take in Charge) to the Auditor, the following Fees are to be taken by the Clerk of the Pipe, and the sworn Clerk for those Counties, (Viz.)

					l.	s.	d.
Chester	—	—	—	—	2	3	—
Lancast'	—	—	—	—	4	6	—

Fees to be paid to the First Secondary.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For allowing the Sheriffs Tallies of Profer in } each County — — — — —	—	6	8
In each City and Town — — — — —	—	3	4
Making up the Sheriff's Sum containing his } whole Charge in York — — — — —	—	13	4
Lond' Middl'sex — — — — —	—	13	4
For the rest of the Counties, each — — — — —	—	6	8
Allowing a Talley <i>de remanente Compt'</i> or any } other Talley <i>de Sol'</i> in his Account, when } such happen — — — — —	—	1	—
For Charging a Post-Scrow, which rarely happens — — — — —	—	3	4

To the Second Secondary.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For drawing down a Debt received by Di- } ftring, or levied by Writ of <i>Fieri facias</i> } from either of the Remembrancer's Office } upon the Scrow Back — — — — —	—	3	4
If an extraordinary Length — — — — —	—	6	8

To the Portubag.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For Ingrossing the Scrow of Green-Wax of } the Sheriff of the County of York — — — — —	—	1	—
Lond' Middl'sex — — — — —	—	1	—
The rest of the Counties of England, each — — — — —	—	10	—
For the accompting Towns and Cities, each — — — — —	—	3	4

Casual and accidental Fees to the sworn Clerks in their respective Assignments, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For a <i>Consat</i> of a Seizure or Debt in order to } be ruled off, or discharged — — — — —	—	4	4
For settling of a Seizure or Debt upon a She- } riff's Accompt, by Petition or Judgment } of Court, when it happens — — — — —	—	3	4
Filing the Certificates of Felons Goods, and } charging the Debts therein contained, each } — — — — —	—	6	8

For the Allowance of Justices Wages.

York	1	s.	4
Lond ^d Midd ^s sex	2		
Lincoln	2		
The rest of the Counties of England, each	13		

For Sheriffs Allowances.

Ebor ^s	1		
Lon ^s Mid ^s sex	13		
The rest of the Counties, each	6		
Record of Surplusage for the first Five Pound	6		
For every other five Pound	3		

To the Writing-Clerk for the Business of the whole Year.

Cant ^s Hunt ^s	1		
Cornub ^s	6		
Devon ^s	6		
Ebor ^s	15		
Kant ^s	7		
Lincoln	6	10	
Lon ^s Mid ^s sex	6		
Monmouth	3		
Rutland	1		
Somers ^s	7	13	
Sussex	3	10	
Westmorl ^s	2		
The rest of the Counties, each	5		
Civit ^s Bristol ^s	1		
Civit ^s Ebor ^s	1		
Civit ^s Norwic ^s	1		
Kingston super Hull	18	4	
Novum Castrum	1		
Vil ^s Pool	6	8	
The rest of the Cities, each	13	4	
Com ^s Pal ^s Cestr ^s	6	8	
Com ^s Pal ^s Lanc ^s	13	4	

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Lond^s, lCambr^s
Heref^s
Leic^sNorf^s
Nott^s
Staff^sWar^s
Sussex
Derb^sOxon
Cant^s Hu
Glouc^sKant^s
Essex

To be paid to the Bagman of the Office at the Appofal of the Sheriffs

Of England, in each County, two Shillings?	1	s.	d.
and six Pence, and the Casting out	—	5	—
And for each City and accompting Town	—	2	6

Fees to be paid to the Comptroller of the Pipe.

For Appofal of Lond', Mid'fex, and York, each	1	s.	d.
For Appofal of Surrey, Suffex, Rutland, and Westmorland, each	—	11	6
For Appofal of every other County	1	2	6
For casting out of Lond', Mid'fex, and York, each	2	—	—
For casting out of Surrey, Suffex, and Rutland, each	—	15	—
For casting out of every other County	1	10	—
For Return of Summons for London, Middlesex, and York, each	—	5	—
For Return of every other Summons	—	2	6
For Petitions, which seldom happen	—	2	6

The Fees to be taken by the Three Clerks of the Comptroller of the Pipe in passing Sberiffs Accompts.

		Appofals.			Casting out.		
		l.	s.	d.	l.	s.	d.
Bedd'	} each	—	—	1	2	6	—
Herf'		—	—	—	—	—	—
North'ton		—	—	—	—	—	—
Surr'	} each	—	—	1	5	—	—
Rutl'd		—	—	—	—	—	—
Lond', Mid'fex		—	—	1	5	—	—
Cambr'	} each	—	—	—	—	—	—
Heref'		—	—	—	—	—	—
Leic'		—	—	—	—	—	—
Norf'	} each	—	—	1	12	6	—
Nott'		—	—	—	—	—	—
Staff'		—	—	—	—	—	—
War'	} each	—	—	—	—	—	—
Suffex		—	—	1	15	—	—
Derb'		—	—	—	—	—	—
Oxon	} each	—	—	1	19	2	8
Cent' Hunt'		—	—	—	—	—	—
Glouc'		—	—	—	—	—	—
Kent'	} each	—	—	2	2	6	—
Essex		—	—	—	—	—	—

Buck

		Appofals.			Casting out.		
		l. s. d.			l. s. d.		
Bucks	} each	—	—	2 9 2	2	6	1
Monmouth		—	—	2 9 2	2	6	1
Berks		—	—	2 9 2	2	6	1
Suffolk		—	—	2 9 2	2	6	1
South'ton		—	—	2 9 2	2	6	1
Worcester	} each	—	—	2 9 2	2	6	1
Wilts		—	—	2 9 2	2	6	1
Salop		—	—	2 9 2	2	6	1
Northumbr	} each	—	—	2 9 2	2	6	1
Lincoln		—	—	2 9 2	2	6	1
Cornwall		—	—	2 9 2	2	6	1
Devon'	} each	—	—	3 9 2	3	6	1
Dorset		—	—	3 9 2	3	6	1
Somerset		—	—	3 9 2	3	6	1
Ebor'	—	—	—	4 16 8	4	16	8
Westmor'	—	—	—	17 6	17	6	

For Return of every Summons, seven Shillings and six Pence; except *Lon'*, *Mid'sex*, fifteen Shillings; *Yorks* one Pound and five Shillings; and *Cornwall*, *Devon*, *Dorset*, *Lincoln*, *Somerset*, *Suffolk*, *South'ton*, *Wilts*, and *Salop*, each seventeen Shillings and six Pence. For the Petition of Allowance, three Shillings and six Pence; except in *London*, *Middlesex*, and *Tork*, thirteen Shillings and four Pence; and in *Cornwall*, *Devon*, and *Somerset*, six Shillings and eight Pence each; for every other Petition, one Shilling; and for the Justices Wages in *London* and *Middlesex*, ten Shillings.

Fees to be paid by Sheriffs in the King's Remembrancer's Office, upon giving Security when he enters into his Office.

	l.	s.	d.
The Stamp Duty of the Recognizance	—	—	10 —
The Caption Fee before the Baron	—	—	8 —
The King's Remembrancer's Fee for the same, for the Counties of <i>York</i> and <i>Norfolk</i> , for each of them	—	13	4
To him for every other County of <i>England</i> , except <i>Lancaster</i> and <i>Durham</i> , and the several Counties of <i>Wales</i> , which give no Security in the Exchequer	—	10	—

To

VOL

l. s. d.

To the Attorney for making the Recognizance, attending the Baron, entering and inrolling the Recognizance, making the <i>Fiat</i> , and Duty for the same, and filing the Warrant of Attorney	—	18	—
Upon the Apposal of every Sheriff upon the Process returnable in <i>Easter-Term</i> to the Deputy Remembrancer	—	5	—
To the Attorney that receives and files the Writs, and attends the Apposals of the Sheriffs	—	4	4
The like upon the Process returnable in <i>Michaelmas-Term</i>	—	9	4
For making the Certificate when the Sheriff enters upon his Accompt of what Seizures are by him made upon the Process returned in that Office, during his Year	—	4	4

Treasurer's Remembrancer's Office in the Court of Exchequer.

Fees taken of Sheriffs in the said Office on passing their Accompts by the Remembrancer.

l. s. d.

Upon a Baron's Warrant for Respiting a Sheriff's Apposals, or for a Day over to finish his Accompts	—	4	—
Upon the View of a Sheriff's Accompts in <i>Easter</i> and <i>Michaelmas-Term</i>	—	6	8
Upon the Commission to swear a Sheriff in the Country to accompt	—	6	8
Upon examining and ruling a Sheriff's Petition of Allowance for the two Days granted <i>ex Gratia Curie</i> for finishing his Accompt, and for filing his Affidavit of Felons Goods	—	12	—
Upon examining and ruling any other Petition in a Sheriff's Accompt, when any such happens	—	3	4
Upon a Record of Surplusage for the First five Pound	—	6	8
For every other five Pound	—	3	4
For filing any <i>Constat</i> Warrant, or other Exhibits	—	1	—

By the Sworn Clerks.

For making the View of a Sheriff's Accompt in <i>Easter</i> and <i>Michaelmas-Term</i> , five Shillings each Term, viz. —	—	10	—
For giving a Sheriff Notice termly, during his Year of Office, of any Information or Plaint against him, according to the Se- cure in that Case made and provided, and for attending his Apposals before the Ba- rons, and in <i>Easter</i> and <i>Michaelmas-Terms</i> , twenty Shillings each Term, viz. —	—	—	—
For Drawing any Warrant to be signed by the Chancellor, or a Baron —	—	6	8
For attending a Baron for his Hand thereto —	—	3	4
For directing a Sheriff in his Business during the three Terms he is upon his Accompt, ten Shillings each Term, viz. —	—	10	—
For making the Commission to swear a Sheriff in the Country to accompt pursuant to a Warrant from a Baron for that purpose —	—	10	—
For the Oath thereunto annexed —	—	6	8
For a High-Sheriff's Warrant to be sworn to accompt, (when he comes in Person) and for attending his being sworn —	—	—	—
For an Under-Sheriff's Warrant —	—	3	4
For attending and putting in a Sheriff's Bills of Profers at the Receipt of Exchequer in <i>Cro' Cli' Pascha</i> & <i>Cro' Sci' Mich'</i> when his Year is ended, at his Swearing to Accompt —	—	6	8
For entering the two Days <i>ex Gratia Curia</i> —	—	6	8
For Drawing a Sheriff's Oath touching Felons Goods —	—	6	8
For a Copy thereof to transmit to the Pipe —	—	3	4
For a Certificate of the Execution of a Procefs For a Search in Order to make such Certificate For drawing any Petition in Parchment and inrolling it —	—	6	8
For Inrolling a Sheriff's Bill of Allowance —	—	13	4
For Inrolling any Schedule in <i>Onere Constat</i> or Warrant by the Roll —	—	6	8
For a Record or Surplusage for the First five Pounds —	—	6	8
For every other five Pounds —	—	3	4
For Copying any Seizure made by a Sheriff, per Sheet —	—	—	—

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Sheriffs.

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	l.	s.	d.
For examining and signing the same	—	—	3
For a Writ of Assistance and Seal	—	—	10
For attending at <i>Westminster</i> to dismiss a Sheriff } the Court, on finishing his Accompt	—	6	8

By the Filazer.

	l.	s.	d.
For entering a High-Sheriff's Commission or } Warrant <i>ad Computand'</i> on the Scroll of Ac- } comptants	—	5	—
For an Under-Sheriff's Warrant, and any War- } rant <i>ad recipiend'</i> Brevia	—	2	—
For the Sheriff's Tallies of Profers	—	2	—
For entering a Sheriff's Writs on the Bills	—	2	—
And when he comes <i>Post Diem</i> , and Amer- } ciaments are set by the Court, then for each } Amerciament, one Shilling, being usually } Six, during his Year, viz.	—	6	—

When any Plea, Composition, Order, or the like, happens during a Sheriff's Accompt, through his Defaults or Contempts, he pays the same Fees that are paid by other Suitors.

There have been some small Fees Time out of Mind paid to the Under-Clerks, viz.

	l.	s.	d.
For writing a Warrant or Affidavit	—	1	—
On Return of Process twice a Year, five Shil- } lings, viz.	—	10	—
For ingrossing a Commission, and Oath annexed	—	5	—

As likewise to the Portubag, viz.

	l.	s.	d.
For carrying any Writ to be sealed	—	—	6
For a Commission	—	1	—
A Sheriff pays him at each of his Apposals, } two Shillings, viz.	—	4	—
And for Postage of all his Business, during } the Time he is upon his Accompt	—	5	—

*A Particular of such Fees as are to be paid by Sheriff
in the Office of Remembrancer of the First-Fruits and
Tenths in his Majesty's Exchequer.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For attending the Sheriff's Apposals at <i>West-</i> <i>minster</i> upon their returning of Writs issued for Arrears of First-Fruits, and for filing the same in <i>Easter-Term</i> , each	—	4	—
The like for <i>Michaelmas-Term</i>	—	4	—

*Fees to be received by the Foreign Apposer, his Deputy
or Chief Clerk, of all Sheriffs of Counties, Cities, and
Towns, at their Apposal upon the Summons of the
Green-Wax, and for making out the Justices Wages
when craved by the Sheriff.*

Counties.	Apposal.			Justices Wages.		
	<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>
Bedford	3	5	—	1	12	6
Berks	3	5	—	1	12	6
Bucks	3	5	—	1	12	6
Cambr' Hunt'	3	5	—	1	12	6
Cornwall	6	5	—	1	12	6
Cumberland	3	5	—	1	12	6
Derby	3	18	4	1	12	6
Devon	7	5	—	1	12	6
Dorset	4	5	—	1	12	6
Essex	6	5	—	1	12	6
Gloucester	4	5	—	1	12	6
Hereford	3	5	—	1	12	6
Hertford	3	18	4	1	12	6
Kent	6	5	—	1	12	6
Leic'	3	5	—	1	12	6
Lincoln	6	5	—	1	12	6
Lon' and Mid'sex	7	10	—	5	10	—
Monmouth	3	5	—	1	12	6
Norfolk	6	5	—	3	5	—
North'ton	5	5	—	1	12	6
Nottingham	3	18	4	1	12	6
Northumberland	1	15	—	1	12	6

Oxford

Coun

Oxf

Rut

Salop

Som

Sout

Staff

Suffo

Surre

Susse

Ware

West

Worc

Wilt

York

Cities

Bristo

Coven

Cante

Exeter

Glouc

Litchf

Lincol

Norwi

Worce

York

Towns

Kingsto

Notting

Newca

Pool

South'e

Counties.	Appofal.			Justices Wages.		
	l.	s.	d.	l.	s.	d.
Oxford	3	5	—	1	12	6
Rutland	1	15	—	—	—	—
Salop	4	5	—	1	12	6
Somerfet	6	5	—	1	12	6
South'ton	3	18	4	1	12	6
Stafford	3	5	—	1	12	6
Suffolk	3	5	—	3	5	—
Surrey	3	5	—	1	12	6
Suffex	3	5	—	1	12	6
Warwick	3	5	—	1	12	6
Westmorland	1	15	—	—	—	—
Worcefter	3	5	—	1	12	6
Wiltz	5	5	—	1	12	6
York	9	5	4	3	5	—

Cities.	Appofals.		
	l.	s.	d.
Bristol	—	17	6
Coventry	—	17	6
Canterbury	—	17	6
Exeter	1	12	6
Glouc'	—	17	6
Litchfield	—	15	10
Lincoln	—	15	10
Norwich	1	12	6
Worcefter	—	17	6
York	—	17	6

Towns.	Appofals.		
	l.	s.	d.
Kingfton fuper Hull	—	15	10
Nottingham	—	17	6
Newcaftle upon Tyne	—	17	6
Pool	—	14	2
South'ton	—	17	6

Fees to be taken by the Clerk of the Extracts in his Majesty's Court of Exchequer, and by the Sworn Clerk in that Office, of all Sheriffs accountable in the Exchequer upon their Appofals on the Summons of the Green Wax.

To the Clerk of the Extracts for Northumberland and Westmorland, each	—	—	16	2
Of London and Middlesex	—	—	1	2
Of the County of Rutland	—	—	—	13
Of every other County, each	—	—	—	10
Of the City of Exon	—	—	—	10
Of every other City and Town, each	—	—	—	6
To the Sworn Clerk for Writing out the Summons every Year, and attending the Appofals.	—	—	—	—

					l.	s.	d.
Of the County of Rutland	—	—	—	—	—	9	—
Of Eber'	—	—	—	—	1	16	8
Of Surrey	—	—	—	—	1	13	—
Of Westmorland	—	—	—	—	—	16	—
Of the Counties of Heref', Hertf', Oxon, Suff'	—	—	—	—	—	—	—
and South'son, each	—	—	—	—	1	—	—
Of every other County	—	—	—	—	1	6	—
Of the Cities of Bristol, Litchfield, and Town	—	—	—	—	—	5	10
of Pool, each	—	—	—	—	—	—	—
Of the City of Exon	—	—	—	—	—	10	—
Of every other City and Town, each	—	—	—	—	—	8	—
The Fee due to the Chancellor of the Exchequer, his Secretary and Clerk, for Passing a	—	—	—	—	—	15	—
Sheriff's Allowance, to be	—	—	—	—	—	—	—

Fees to be taken by the Cursitor-Baron, and his Clerk, of the several Sheriffs of England.

To the Baron for swearing to their Accompt, and signing their Warrant	—	—	—	16	8
To his Clerk	—	—	—	—	4
To the Baron at their Appofals	—	—	—	—	1
To his Clerk	—	—	—	—	7
To the Baron at their Casting out of Court	—	—	—	—	1
To his Clerk	—	—	—	—	7

Sheriffs of London and Middlesex, and Sheriffs of the County of York, pay double Fees, and the Sheriffs of Sussex, Surrey, Rutland, and Westmorland, pay Half-Fees.

Fee

Fees Certain and Casual to be paid by the Sheriffs to the Marshals of his Majesty's Court of Exchequer, granted to them by Patent under the Great Seal without Salary.

Easter-Term.

All Sheriffs of the Counties of England, come then to be apposed on their Writs and Process before the Barons, and pay the said Marshals (except Rutland and Yorkshire) — 15 10
 Rutland to pay half that Fee, (viz) — 7 11
 Yorkshire, double — 15 10

Michaelmas-Term.

The same Sheriffs are apposed again on the same Writs and Process, and to pay their Fees as above.

Easter-Term.

Sheriffs of the Cities and Towns, and Deputies of the Cinque-Ports, each of them to pay severally upon their Appoals then, as followeth, viz.

l. s. d.

Lincoln, Canterbury, Pool, Gloucester, Wigorn, }
 Nottingham, Coventry, South ton, Litchfield, }
 and Deputy of the Cinque-Ports }
 York, Norwich, Exon, Newcastle, Hull }
 Bristol City }
 each 10 6

Michaelmas-Term.

The Sheriffs of Cities and Towns above, apposed then, are to pay the same Fees as paid in Easter-Term, and when sworn to accompt, are to pay more — }
 Bailiffs of Liberties sworn to accompt are to pay, each — }
 Bristol Escheator is to pay — 3 4

S. 4

Michaelmas.

Michaelmas-Term.

Sheriffs of Counties prefixed that Term to be sworn, and to take their Accompts in Charge before the Curfitor-Baron, on the Summons of the Pipe, and before the foreign Apposer upon the Green-Wax, viz. Essex, Hertford, Kent, Cambr', Hunt', North'ten, Lincoln, Stafford, Wigorn, Wilts', Cornub', Salep, Berks, and Bucks, are to pay each	1	9	1
Rutland is to pay half that Fee	—	14	1
London and Middlesex is to pay his Fees for a whole Year	5	12	—
London Gauger then sworn in Court is to pay	—	8	1

Hilary-Term.

Sheriffs of Counties sworn and apposed before the Curfitor-Baron and Foreign Apposer, as in Michaelmas-Term, viz. Surrey, Suffex, Oxon, Berks, Norfolk, Suffolk, Hereford, Dorset, Monmouth, Somerset, Derby, Nottingham, Devon, Gloucester, Warwick, South'ten, and Leicester, to pay each	1	9	1
Tith pay double	2	18	4

Easter-Term.

Sheriffs of Cumberland and Northumberland, then prefixed and apposed on the Summons of the Pipe and Green-Wax, before the Curfitor-Baron and Foreign Apposer, to pay, each	1	9	1
Westmorland then to pay his Fees for the whole Year	2	6	1
Lancashire for the whole Year	3	10	—
Gloucestershire for the whole Year	3	6	1
All Sheriffs discharged by Proclamation in the Court, except York	—	15	10
York is to pay	1	11	1

Casual Fees.

Sheriffs attached by Order of Court or War-rant	1	13	4
Sheriffs in Custody per Diem, until discharged	—	6	8

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If the Marshal rides into the Country, six Pence per Mile forwards, and the same backwards, towards his Charges from the Sheriff on whose Accompt he goes,

	l.	s.	d.
Every Sheriff that hath further Time given him by Order of Court, or Warrant to pass his Accompt, or to be apposed, to pay—	—	6	8

The Fees to be taken by the Four Ushers of his Majesty's Court of Exchequer.

	l.	s.	d.
Of every High-Sheriff when he enters on Recognizance in the Exchequer —	—	8	—
Of every Sheriff of a County sworn to answer upon his two Apposals on the King's Remembrancer, Treasurer's Remembrancer, and First-fruits Process, for each the said Apposals —	—	8	—
Of every Sheriff of a City, &c. on each of his said two Apposals —	—	4	—
Of every Sheriff of a County sworn to his Accompt in Court, or elsewhere, and on his Apposal on the Pipe Process before the Curfitor-Baron —	—	18	6
Of every Sheriff of a City, &c. on the like Apposal —	—	4	—
Of every Sheriff of a County at his Casting out of Court, or finishing his Accompt —	—	8	—

London, Middlesex, and Yorkshires to pay double.

Fees to be taken by the Court-Keeper of his Majesty's Court of Exchequer.

	l.	s.	d.
Of every High-Sheriff when he enters on Recognizance in the Exchequer —	—	2	—
Of every Sheriff of a County-Town to answer upon his two Apposals on the King's Remembrancer, Treasurer's Remembrancer, and First-Fruits Process, for each of the said Apposals —	—	2	—
Of every Sheriff of a City, &c. on each of the said two Apposals —	—	1	—

Of

Of every Sheriff of a County sworn to his Accompt in Court, or elsewhere, and on his Apposal upon the Pipe Process, before the Curfitor-Baron

Of every Sheriff of a City, &c. on the like Apposal

Of every Sheriff of a County upon his Apposal on the Summons of Green-Wax before the Foreign Apposer and Clerk of the Estreats

If apposed out of Term

Of every Sheriff of a City, &c. on the like Apposal

Of every Sheriff of a County on his Casting out of Court, or finishing his Accompts — London, Middlesex, and York, are to pay double.

Fees to be received by the Messenger of the said Court (viz.)

Of every Sheriff of a County sworn to answer upon his two Apposals on the King's Remembrancer, Treasurer's Remembrancer, and First-Fruits Process, for each of the said Apposals

Of every Sheriff of a City for each of the said two Apposals

London, Middlesex, and York, to pay double.

Fees to be received by the Tipstaff in the said Court.

Of every High-Sheriff when he enters on Recognition in the Exchequer

Of every Sheriff of a County sworn to answer upon his two Apposals upon the King's Remembrancer, Treasurer's Remembrancer, and First-Fruits Process, for each of the said Apposals

Of every Sheriff of a City, &c. sworn to answer the like Apposals

Of every Sheriff of a County sworn to his Accompt in Court, or elsewhere, and on his Apposal on the Pipe Process before the Curfitor-Baron

Of every Sheriff of a City, &c. on his Apposal on the Pipe Process before the Curfitor-Baron

Of every Sheriff of a County at his Casting out
of Court, and finishing his Accompt ———
London, Middlesex, and York, to pay double.

Fees and Allowances to be paid to the Auditors of the Exchequer, for Making up and Passing the under-mentioned Sheriffs Accounts (viz.)

For Inrolling a Sheriff's Patent, filing the several Certificates, drawing and ingrossing the Accompr, and for the Quieris of the Sheriff of Cheshire and Lancashire, the Fees for each County to be _____

For the County-Palatine of *Durham*, according
to ancient Custom

For Casting out of Sheriffs in open Court, except London and Middlesex, York, and Lincoln, each County

For London, Middlesex, York, and Lincoln, each
County —————

Fees to be paid by the Sheriffs of Wales to the Auditor
of Wales and Cheshire, for the several Sheriffs of
Wales.

For every old Seizure charged in the Sheriff's Account

For every new Seizure charged in the Sheriff's Account

For Inrolling a Sheriff's Patent, filing the several Certificates, drawing and ingrossing the Accompt, and for the *Quietus est* for each County

The Fees due to the Receiver of North and South Wales.

From every Sheriff upon passing his Accompts
at the Audit for signing his Accompts, and
Entring in the Revenue Book

For the Sheriffs of Cheshire.

For Inrolling the Sheriff's Patent, filing the several Certificates, drawing and ingrossing the Accompt, and for the *Quittus est* —

XXVI. Stat. 3 G. 2. 16. Sect. 1. After the 29th of September, 1717, the yearly Sum of 4000 l. shall be set apart in the Exchequer out of such Fund as by any Act of this Session shall be charged with the same, and in such Manner as shall be thereby appointed, for the Uses hereafter mentioned.

XXVII. Sect. 2. There shall be paid yearly out of the said Monies which shall be so set apart on the first Day of Michaelmas-Term, to the Sheriffs of the several Counties herein after-mentioned; the Sums herein after expressed, to enable them to bear the Expences of the Letters Patents for their Offices; and to pass their Accounts, and obtain their *Quittances*: The said yearly Sums to be received without any Accompt or Imprest to be set upon them, and without paying any Fees or Charges for the same: That is to say,

To the Sheriff of the County of	Bedford	—	—	—	—	93	6
	Berks	—	—	—	—	96	—
	Bucks	—	—	—	—	96	—
	Cambridge and Huntingdon	—	—	—	—	95	10
	Chester	—	—	—	—	62	1
	Cornwall	—	—	—	—	102	16
	Cumberland	—	—	—	—	90	2
	Derby	—	—	—	—	93	19
	Devon	—	—	—	—	106	9
	Dorset	—	—	—	—	101	6
	Essex	—	—	—	—	108	10
	Gloucester	—	—	—	—	98	10
	Hereford	—	—	—	—	94	6
	Hertford	—	—	—	—	93	—
	Kent	—	—	—	—	108	10
	Lancaster	—	—	—	—	67	7
	Leicester	—	—	—	—	94	6
	Lincoln	—	—	—	—	101	3
	Middlesex	—	—	—	—	119	3
	Monmouth	—	—	—	—	89	3
	Norfolk	—	—	—	—	101	15
	Northampton	—	—	—	—	96	—
	Northumberland	—	—	—	—	91	—
	Nottingham	—	—	—	—	95	13
	Oxon	—	—	—	—	97	7
	Rutland	—	—	—	—	69	11
	Salop	—	—	—	—	98	3
	Somerset	—	—	—	—	112	19
	Southampton	—	—	—	—	101	3
	Stafford	—	—	—	—	95	10
	Suffolk						

To the Sheriff of the County of

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To the Sheriff of the County of

Suffolk	103	12
Surrey	92	2
Sussex	90	5
Warwick	93	10
Wilts	104	10
Worcester	98	3
York	150	—
Anglesey	30	—
Brecon	30	—
Cardigan	30	—
Carmarthen	30	—
Carnarvon	30	—
Denbigh	30	—
Flint	30	—
Glamorgan	30	—
Merioneth	30	—
Montgomery	30	—
Pembroke	30	—
Radnor	30	—
Westmorland for the Time being	40	6

Ships.

I. Stat. 3 G. c. 13. *Sec. 1.* If any Person shall, after the first of *August*, 1717, take upon him to conduct or pilot any Ship or Vessel, by or from *Dover*, *Deal*, or the Isle of *Thames*, to any Place on the River *Thames* or *Medway*, before he has been first examined by the Master and Wardens of the Society of *Trinity-House*, touching his Ability, and shall be approved and admitted into the said Society at a Court of Load-manage by the Lord Warden of the *Cinque-Ports*, or his Deputy, and the Master and Wardens for the Time being, every such Person for the first Offence shall forfeit 10*l.* for the second, 20*l.* and for every other Offence 40*l.* to be sued for and recovered with full Costs of Suit, by any Person, in the Court of Admiralty for the *Cinque-Ports*, in Case such Offender live and be found within the Jurisdiction of the said Court; or else by Action of Debt, &c. in any the Courts at *Westminster*, wherein no Effoin, &c. or more than one Imparllance to be allow'd, one Moiety of the said Forfeiture to go to the Informer, the other to the Master and Wardens of the said Society; to be distributed amongst such superannuated Pilots, and the Widows of Pilots of the said Society, and in such Proportion, as the said Masters and Wardens shall appoint, and as heretofore hath been practised by the said Society.

II.

II. *Sett.* 2. Provided, That this Act shall not prevent the Master or Mate of any Ship or Vessel, or Part-Owner, residing at *Dover, Deal*, or the Isle of *Thanet*, from piloting his own Ship or Vessel from any of the said Places up the said Rivers; nor Subject any Persons, (tho' not of that Society) to the Penalties aforesaid, who shall be hired by any Master to pilot his Vessel from the said Places; provided none of the said Society, within the Space of one Hour after such Ship or Vessel shall arrive at any of the said Places, be ready to pilot the same.

III. *Sett.* 3. Masters of Merchant-Ships may make Choice of such Pilot of the said Society, as they shall think fit: And no Person shall continue in the said Society, who shall not pilot a Ship at least twice in one Year, (unless prevented by Sickness) to and from the Places above-mentioned.

IV. *Sett.* 4. For preventing any exorbitant Demands from any Pilots of the said Society, for conducting any Ship or Vessel from *Dover, Deal*, or the Isle of *Thanet*, to any Places on the River *Thames* and *Medway*, the following and no greater or other Prices shall be taken or demanded than what are after-mentioned, *viz.* For every Ship or Vessel drawing

Seven Foot Water	—	—	—	3	10
Eight Foot Water	—	—	—	4	—
Nine Foot Water	—	—	—	4	10
Ten Foot Water	—	—	—	5	—
Eleven Foot Water	—	—	—	5	10
Twelve Foot Water	—	—	—	6	—
Thirteen Foot Water	—	—	—	6	10
Fourteen Foot Water	—	—	—	7	—
Fifteen Foot Water	—	—	—	7	10
Sixteen Foot Water	—	—	—	8	—
Seventeen Foot Water	—	—	—	8	10

And no Allowance to be made for odd Inches.

V. *Sett.* 5. If any Pilot, as aforesaid, shall negligently lose the Ship under his Care, and be thereof convicted by due Course of Law, he shall for ever after be incapacitated for acting as a Pilot: And the Number of such Pilots shall not be less than one hundred and twenty, whose Names, Ages and Places of Abode shall every 25th Day of *March*, be affixed in some publick Place at the Custom-houses at *London* and *Dover*, to which all Persons may have Recourse; and for not returning such List, the Master and Wardens of the said Society shall forfeit 10*l.* to be recover'd in the *Cinque-Ports* by any Person who shall sue for the same.

VI. *Sett.* 6. After the 29th of *September*, 1717, the Lord Warden of the *Cinque-Ports* shall nominate, by an Instrument under

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under his Hand and Seal, three or more substantial Persons in each of the *Cinque Ports*, two ancient Towns, and their Members, to adjust any Difference relating to Salvage, between the Master of any Ship, that has in bad Weather been forced from her Anchor and Cable, and the Persons bringing them ashore: And if any Vessel be forced from her Cables and Anchors by Extremity of Weather, and leave the same in any Roads within the Jurisdiction of the *Cinque Ports*, and the Salvage cannot be adjusted between the Persons concerned; then the same shall be determined in the Space of twelve Hours, by any one or more of the Persons appointed as aforesaid.

VII. *Seff.* 7. This Act shall not extend to hinder any Person from assisting a Ship in Distress, nor subject him to the Penalties of this Act.

VIII. *Seff.* 8. The Master and such two Wardens of the said Society as shall be appointed to examine into the Skill and Ability of any Person on his being admitted as a Pilot into the said Society, shall take the following Oath, to be given them by the Register of the said Court of Load-Manage, or his Deputy, viz,

I A. B. do swear, That I will impartially examine and enquire into the Capacity and Skill of *in the Art of Pilots*
over the Flats, and round the Long Sand Head, and the Coasts of
Flanders and Holland, and will make true and speedy Return there-
of to the Lord Warden of the Cinque-Ports for the Time being, or
his Deputy, without Favour, Affection, Fee, or Reward.

So help me God.

IX. *Seff.* 9. This Act shall not extend to the taking away, bridging, &c. any Grants, Liberties, Franchises and Privileges, heretofore granted to, and vested in the Corporation of the Trinity-House of Deptford-Streand; but the said Corporation shall enjoy the same as fully as if this Act had not been made.

X. *Seff.* 10. This Act shall be allowed in all Courts as a Publick Act, and all Judges and Justices are required to take Notice of it as such, without special Pleading the same.

XI. *Seff.* 11. This Act shall continue in Force for seven Years, and from thence to the End of the next Session of Parliament, and no longer.

XII. Stat. 4 G. c. 12. *Seff.* 1 Enacted, That the Act
 A. *Seff.* 2. c. 17. entitled, *An Act for the Preserving of all*
such Ships, and Goods thereof, which shall happen to be forced on
shore, or stranded upon the Coasts of this Kingdom, or any other of
Her Majesty's Dominions, and all the Clauses, &c. therein, shall
be made perpetual.

XIII. *Stat. 3.* Nothing in this Act shall extend to, or any Ways affect the ancient Jurisdiction and Usage of the Admiralty-Court of the Cinque-Ports, or the Officers thereto belonging; but the proper Officers of the said Court shall put the said Act in Execution within the Jurisdiction of the Cinque-Ports, in as full and ample Manner as any other Persons are by the said Act appointed to do in any other Parts of this Kingdom.

XIV. *Stat. 3.* If any Owner of, or Captain, Master, Mariner, or other Officer, belonging to any Ship, shall, after the 24th of June, 1718, wilfully cast away, burn, or otherwise destroy, the Ship of which he is Owner, or to which he belongs, or in any Manner of Wise direct or procure the same to be done, to the Prejudice of any Persons that shall underwrite any Policy of Insurance thereon, or of any Merchants that shall load Goods thereon, he shall suffer Death.

Soldiers.

I. *Stat. 1 G. 2. 3. Stat. 1.* Enacted, That after the 5th of June, 1715, every Person, being muster'd or in Pay as an Officer, or listed and in Pay as a Soldier, and is on the said 5th of June remaining in such Service, or shall, during the Continuance of this Act, voluntarily enter himself as a Soldier, who shall, before the 25th of March, 1717, within Great Britain or Ireland, excite or join in any Mutiny or Sedition in the Company, Troop or Regiment whereto he belongs, or any other Company, &c. in his Majesty's Service, or desert, or list himself in any other Regiment, &c. without a Discharge in Writing from the Colonel, &c. or who shall refuse to obey his superior Officer, or resist any Officer in the Execution of his Office, or strike, draw, or offer to draw any Weapon against his superior Officer, on any Pretence whatever, every such Offender shall suffer such Punishment as a Court-Martial shall adjudge, not extending to Life or Limb.

II. *Stat. 2.* His Majesty, by Warrant under his Sign Manual, may grant a Commission to any Officer, not under the Degree of a Field-Officer, for the holding a Court-Martial within this Realm; and also may grant his Warrant to the Lord Lieutenant of Ireland, or other Chief Governor there, to appoint Court-Martials in that Kingdom; in which Court-Martials all the Offences above, and all other Offences hereafter specified, shall be tried and proceeded against in such Manner as by this Act is hereafter directed.

III. *Stat. 3.* It shall be lawful for such Court-Martial to inflict corporal Punishment, not extending to Life or Limb, on any Soldier, for Immoralities, Misbehaviour, or Neglect of Duty.

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IV. *Señ. 4.* No Court-Martial shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission-Officer, and the President, of a Field Officer; and such Court-Martial may administer an Oath to any Witness; and no Trial shall be had but between eight in the Morning and four in the Afternoon.

V. *Señ. 5.* Nothing in this Act shall exempt any Officer or Soldier from being proceeded against for any the said Offences by the ordinary Course of Law; or extend to the Militia of this Kingdom.

VI. *Señ. 6.* If any Person shall make or give, or cause to be made or given, any false Certificate, to excuse any Soldier for his Absence from any Muster, or other Service, on Pretence of Sickness, or being imploy'd in Recruits, he shall forfeit 50 *l.* and be forthwith cashier'd, and utterly disabled to hold any military Office within this Realm, or in his Majesty's Service; and no Certificate shall excuse such Absence but for the Reasons above-mentioned: And the Commissary shall set down the Reasons of such Absence in the Muster-Rolls.

VII. *Señ. 7.* Every Officer making any false Muster of Man or Horse, and every Commissary, Muster-Master, or other Officer, willingly allowing or signing the Muster-Roll, where such false Muster is contain'd, or any Duplicate thereof, on Proof by Oath of two Witnesses before a Court-Martial, shall be forthwith cashiered, and disabled to hold any civil or military Employment; and forfeit 100 *l.*

VIII. *Señ. 8.* Fictitious Names, allowed by his Majesty's Order on the Muster-Rolls, for the Maintenance of the Widows of Officers, who lost their Lives in his Service, shall not be construed to be a false Muster.

IX. *Señ. 9.* Every Commissary shall, by a convenient Time before any Muster is to be made, give Notice to the Mayor, &c. of the Place where the Soldiers to be muster'd are quarter'd, who is required to be present at every such Muster, and give his utmost Assistance for discovering any false Muster there made or offered to be made; and every Commissary neglecting to give such Notice, or refusing to take the Assistance of such Mayor, &c. shall forfeit 50 *l.* and be discharged from his Office; and no Muster-Roll shall be allowed unless it be sign'd by the Mayor, &c. But if such Mayor, &c. shall not, on Notice given, attend such Muster, or refuse to sign the Muster-Roll; then the Commissary, &c. may proceed to muster such Regiment, &c. without incurring the said Penalty; and such Muster-Roll shall be allow'd, tho' not sign'd as aforesaid: Provided, Oath be made before any Justice within forty-eight Hours after such Notice given, that it was given to such Mayor, &c. and the said Muster-Roll shall be then

produced and examined by the said Justice, who is required to sign it, if there appear not good Objection to the same.

X. *Stat. 10.* If any Person be, or offer himself to be, falsely or deceitfully muster'd, on Proof thereof by two Witnesses on Oath before the next Justice where such Muster shall be made, and on Certificate thereof under the Hand of the Commissary or Chief Magistrate, as aforesaid, made to such Justice, he shall commit such Offender to the House of Correction for ten Days: And if any Person shall wittingly lend any Horse to be muster'd, which shall not truly belong to the Trooper or Troop so muster'd, such Horse shall be forfeited to the Informer, if the same belong to the Lender, who otherwise shall forfeit 20 l. on Oath of two Witnesses before the next Justice.

XI. *Stat. 11.* The said Forfeiture shall be immediately paid to the Informer out of the Arrears of such Officer's Pay, as shall knowingly so offend, upon Conviction before the Court-Martial, by Order of the said Court to the Pay-master, if such Officer shall have any Arrear; and if he have no Arrear, the Court-Martial shall immediately give Order to seize his Goods and sell them for Payment of the Forfeiture, rendering the Overplus to the Owner; and if he have no Goods, he shall be sent to the common Gaol, there to remain for six Months without Bail or Mainprize: And the Court-Martial shall discharge such Informer, if a Soldier, from farther Service, if he demand it.

XII. *Stat. 12.* If any Pay-master, Agent, or Clerk of any Regiment, Troop or Company, shall wilfully detain, for one Month after he has received it, the Pay of any Officer or Soldier, (Clothes and just Allowances deducted) or if any Officer having received his Soldiers Pay, shall refuse to pay each Non-commission Officer and Soldier their respective Pay, when due, at the Rate of 17 s. 6 d. per Week for each Corporal of Light Horse; 14 s. per Week for each Trumpeter and private Trooper; 8 s. 2 d. per Week for each Dragoon; 7 s. per Week for each Sergeant; 5 s. per Week to each Corporal and Drummer; 4 s. per Week to each private Soldier of his Majesty's three Regiments of Foot-Guards; and 6 s. per Week to each Sergeant; 4 s. 6 d. per Week to each Corporal and Drummer, and 3 s. per Week to each Foot-Soldier of other Regiments; and at the End of every two Months to account for 1 s. 2 d. per Week to each Sergeant, and 2 d. per Week to each Corporal and Drummer, and 6 d. per Week to each Foot-Soldier; being the Remainder of the Subsistence of each Sergeant, &c. on Proof thereof as aforesaid before a Court-Martial, or Court of General Officers for that Purpose held by his Majesty's Order, every such Pay-master, &c. so offending, shall be discharged from his Employment, and forfeit to the Informer, on Conviction

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viſion before the Court-Martial, 100 *l.* to be levied as above, and be diſabled to hold any Civil Office in this Kingdom, or in his Maſteſty's Service; and the Informer, if a Soldier, ſhall be hereby diſcharged, if he demands it.

XIII. *Seſſ. 13.* That a true and regular Account may be kept and render'd by the Agents of Regiments and independent Troops and Companies, they are required to obſerve ſuch Orders and Directions as ſhall be given by his Maſteſty under his Sign Manual, or by the Treafury; and if any Agent ſhall reſuſe or neglect to comply therewith, he ſhall be diſcharged from his Office, and utterly diſabled to hold any ſuch Office in his Maſteſty's Service.

XIV. *Seſſ. 14.* The Surgeon or his Mate, ſhall, within ten Miles of *London* and *Weſtmiſter*, certify on Oath to the Muſter-Maſter, That he has ſeen ſuch Perſons as he certifies to be ſick; and the commanding Officer ſhall alſo certify the Names of ſuch as are employ'd in raiſing Recruits; and if ſuch Certificate ſhall prove falſe, the Officer that ſigned it, ſhall, on Conviſion before a Court-Martial, ſuffer ſuch Penalties, as are inſlicted by this Act on thoſe who make falſe Muſters: And the Commiſſary is hereby directed to inſert in the Docket annexed to each Muſter-Roll, the Place where and Day when every Muſter-Roll is taken.

XV. *Seſſ. 15.* If any Officer or Commiſſary ſhall muſter any Perſon by a wrong Name, knowingly, on Conviſion before a Court-Martial, he ſhall ſuffer, as in Caſe of falſe Muſters.

XVI. *Seſſ. 16.* During the Continuance of this Act, and no longer, it ſhall be lawful for the Conſtables, Tithingmen, Headboroughs, and other chief Officers and Magiſtrates, in Cities, Towns, Villages, and other Places, in *England*, *Wales*, and *Berwick*, and for no others, to quarter Officers and Soldiers in Inns, Livery-Stables, Ale-houſes, Viſtualling-houſes, and all Houſes ſelling Brandy or Strong-Waters, Cyder or Me-theglin, by Retail, to be drunk in their Houſes, except the Houſes of Diſtillers, and of any Shop-keepers, whoſe principal Dealings are more in other Goods than Brandy, &c. who do not permit Tippling in their Houſes, and in no private Houſes; nor ſhall more Billets be ordered than there are effective Soldiers preſent to be quarter'd. And if any Conſtable, &c. ſhall preſume to quarter any Officer or Soldier in a private Houſe, without the Owner's Conſent, ſuch Owner may have his Remedy at Law againſt them, for the Damage he ſhall ſuſtain thereby; and if any military Officer ſhall quarter Soldiers otherwiſe than is allowed by this Act, or ſhall uſe or offer any Menace or Compulſion to any Mayors, Conſtables, &c. tending to deter them from performing their Duty hereby appointed, ſuch military Officer ſhall, for every Offence, on Conviſion before any two next Juſtices, by the Oath of two Wit-
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nesses, and the said Justices Certificate thereof to the Judge Advocate, who is to certify the same to the next Court-Martial, be *ipso facto* cashier'd and disabled to hold any military Employment in this Kingdom: And if any Person thinks himself agrieved, in that such Constable, &c. has billeted in his House a greater Number of Soldiers than he ought to bear in Proportion to his Neighbours, on Complaint thereof to a Justice of the Division, &c. where such Soldiers are quarter'd, such Justice shall have Power hereby to relieve such Person by ordering so many of the Soldiers to be removed and quarter'd upon other Persons as he shall see Cause; which other Persons shall be obliged to receive them accordingly.

XVII. *Señ. 17.* The Officers and Soldiers so quarter'd, shall be received by the Owners of the Inns, &c. and shall pay such reasonable Prices as shall be appointed by the Justices in their Quarter-Sessions, who are to set reasonable Rates for all necessary Provisions, for Soldiers in their Marching, &c.

XVIII. *Señ. 18.* If any Officer, shall take, or cause or knowingly suffer to be taken, any Money for excusing the Quartering of Soldiers in any House allowed by this Act, he shall be cashiered, and be incapable of any military Employment.

XIX. *Señ. 19.* It shall be lawful to quarter Soldiers in Scotland, as by the Laws there, in Force at the Time of the Union, was provided.

XX. *Señ. 20.* Nothing in this Act shall extend to compel the Quartering of any Foot-Soldiers in *England, Wales, or Berwick*, unless it be within ten Miles of his Majesty's usual Residence, or of the Place where he shall be present, or in some Garrison, where sufficient Barracks are not provided for them, or upon their Marches; and in such Marches no Persons shall be obliged to quarter them above six Days at a Time. [*Altered by the following Act, 1 G. c. 9. Señ. 12.*]

XXI. *Señ. 21.* After the 5th of June, 1715, no Pay-master General, Pay-master of the Army, Secretary of War, Commissary, &c. shall receive any Fees, or make any Deductions out of any Officer's or Soldier's Pay, except the usual Deductions for Clothing, the 12 *d.* in the Pound to be disposed as his Majesty shall think fit, and the one Day's Pay in the Year for the Use of *Chelsea-Hospital*.

XXII. *Señ. 22.* The Lord Treasurer, &c. may, at every two Months End, issue the Money due for Clothing in the several Regiments, &c. tho' the Muster-Rolls have not been duly returned: And the Pay-master shall make Deductions of the Off-Reckonings, and pay the same to such Persons only as have regular Assignments for Clothes by them deliver'd to the said Regiment, &c. and the Receipts of such Persons lawfully entitled to such Assignments, to be taken for the same; and such Assignments not appearing, the Off-Reckonings to remain in the

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XXIII. *sect. 23.* After the said 5th of June, 1715, every Officer who receives Pay or Subsistence-Money for a Regiment, &c. shall immediately on the Receipt of every particular Sum, give Notice thereof to Inn-keepers and other Places where Soldiers are quarter'd by Vertue of this Act, and shall appoint them to repair to their Quarters at the Times appointed for the Distribution or Payment of the said Pay or Subsistence to the Officers or Soldiers, which shall be within four Days at the farthest after Receipt thereof: And the said Inn-keepers, &c. shall then and there acquaint such Officer with the Accounts between them and the Officers and Soldiers so quartered in their Houses; which Accounts the said Officer is required to accept of, and to pay the same before any Part of the Pay or Subsistence be distributed, either to the Officers or Soldiers: Provided such Accounts exceed not for a Commission-Officer of Horse under the Degree of a Captain, for Diet and Small Beer, and Hay and Straw for his Horse, 2 s. *per Diem*, nor for a Commission-Officer of Dragoons, under the same Degree, for his Diet, &c. 1 s. *per Diem*; nor for a Commission-Officer of Foot, under a Captain, for his Diet and Small Beer, 1 s. *per Diem*; and for every Horse such Officer shall have, 6 d. *per Diem*: Nor for any Light-Horseman's Diet and Small Beer, and Hay, &c. for his Horse 1 s. *per Diem*, nor one Dragoon's Diet, &c. and Hay, &c. for his Horse, 9 d. *per Diem*: And if any such Officer shall not give Notice as aforesaid, and on producing such Account stated, immediately pay the same on Complaint and Oath made thereof by two Witnesses, at the next Quarter-Sessions for the County, &c. the Pay-master of his Majesty's Guards, &c. (on Certificate of the said Justices of the Sums due on such Accounts, and the Persons to whom owing) shall pay the same out of the Arrears due to such Officer, on Penalty of forfeiting his Place, and being disabled from holding the same for the Future; and if no Arrears be due to the said Officer, then the Pay-master shall deduct the Sums to be paid, pursuant to the Justices Certificate, out of the next Pay or Subsistence-Money of the Regiment to which such Officer belongs; and the said Officer for any the foresaid Offences is declared to be *ipso facto* cashiered. And where by Reason of any Accident, the Subsistence-Money due to any Officer or Soldier shall not be paid, so that the Quarters are not paid as this Act directs; and where any Troops are on their March, so that no Subsistence can be remitted to them, in every such Case every Officer shall, before his Departure out of his Quarters, make up the Accounts, and give a Certificate by him signed, to the Party to whom such Money is

due, with the Name of the Regiment to which he belongs, that such Certificate may be transmitted to the Pay-master; who is required to make immediate Payment thereof, to the Persons to whom due, on Pain as is before directed for Non-payment of Quarters.

XXIV. *Señ. 24.* No Commissary shall muster any Regiment, Troop or Company in the City of *Westminster* or Borough of *Southwark*, and Liberties thereof; but in the Presence of two or more Justices, not being Officers of the Army, under the before-mentioned Penalty, unless such Justices, on forty-eight Hours Notice given to six of them, residing within the City and Liberties aforesaid, shall neglect to attend such Muster: And in such Case the Commissary may proceed to muster such Regiment, &c. Provided Oath be made before any Justice within forty-eight Hours after such Muster, that Notice, as above, was given to six Justices: And the Justices so attending are empower'd to sign the said Muster-Rolls, and to take Cognizance, and examine the Truth of such Muster before they sign the same.

XXV. *Señ. 25.* The Constables, &c. when lawfully required, may quarter the Officers and Soldiers of the Foot-Guards, in such Houses only as by this Act are limited in and about the City of *Westminster*, and Places adjacent, except *London*, during the Continuance of this Act: Provided they be quarter'd with as much Equality as may be, and that there be not more than one Non-Commission Officer or Soldier quarter'd in any one House.

XXVI. *Señ. 26.* This Act shall extend to *Jersey* and *Guernsey*, as to the Clauses for Mustering and Paying, and the Penalties thereto belonging.

XXVII. *Señ. 27.* The Commissary General or his Deputies, shall upon every Muster, close the Muster-Rolls upon the Place, the same Day the Muster is taken, and return one of the said Rolls to the Pay-master General, or to such Pay-master under whose Care the Payment of such Forces shall be, and one of the said Rolls to the Controller of the Accompts of the Army, the fourth Day after the Rolls are closed, if in *London*, or twenty Miles distance; and if farther, by the next Post: And no Alterations or Indorsements shall be made on the said Rolls, except in Case of Orders of Leave, or Dates of Commissions, on Forfeiture of their Employments, and the Sum of 20*l.* for every such Offence, to any Person who will sue for the same.

XXVIII. *Señ. 28.* For the better Provision of Carriages for the Forces in their Marches, or for their Arms, Clothes and Accoutrements, in *England*, *Wales* and *Berwick*, all Justices within their several Counties, &c. shall, on Order from his Majesty, or the General of his Forces, as often as any such Or-

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der is brought to one or more of them, by the Quarter Master, &c. issue out their Warrants to the Constables, &c. of the Division, &c. from, through, near, or to which such Regiment, &c. shall be ordered to march, requiring them to make such Provision of Carriages, with able Men to drive the same, as mentioned in each Warrant, allowing them sufficient Time so to do, that the neighbouring Parts may not always bear the Burthen. And the Officers who by Virtue of the said Warrant are to demand the Carriages of the Constable, shall pay down in Hand to him, for the Use of such Persons who are to provide the said Carriages and Men, 1 s. per Mile for every Waggon that shall travel with five Horses; 1 s. for every Wain with six Oxen, or four Oxen and two Horses; and 9 d. per Mile for every Cart with four Horses; and so in Proportion for less Carriages; and the Constables shall appoint such Persons as they shall think fit, to furnish such Carriages, &c. who are required to furnish the same accordingly: And if any military Officer force any such Waggon, &c. to travel more than one Day's Journey, or not discharge the same in due Time for their Return home; or shall suffer or connive at his Soldiers or Servants (except such as are sick,) or at any Woman's Riding in such Waggon, &c. or shall by Threats force any Constable to provide Saddle-Horses for himself or Servants, or shall force Horses from the Owners, he shall, for every such Offence, forfeit 5 l. Proof thereof being made on Oath before two Justices of the same County, &c. who are to certify the same to the Pay-master General, &c. who is required to pay and deduct the same out of such Officer's Pay.

XXIX. *Stat. 29.* If any High-Constable, &c. shall neglect or refuse to execute the Justices Warrants for providing Carriages as aforesaid; or if any Person appointed by such Constable, &c. to provide any Carriage and Man, shall refuse or neglect to provide the same; or if any other Person shall wilfully hinder the Execution of the said Warrants, every such Constable, &c. shall, for every such Offence, forfeit any Sum not exceeding 40 s. nor under 10 s. to the Poor of the Parish where such Offence shall be committed; all which Offences shall be determined by two near Justices, who are impower'd to cause the Penalties to be levied by Distress and Sale of the Offender's Goods, rendering the Overplus to the Owner.

XXX. *Stat. 30.* The Treasurer of each County, &c. shall pay the Constables all reasonable Sums by them laid out for such Carriages, over and above what ought to be paid by the Officer requiring them, out of the publick Stock of such County, &c. according to such Rates, Orders and Directions, as the Justices in Quarter-Sessions shall make and direct, Regard being had to the Season of the Year, and the Length and Condition of the Ways through which such Carriages are to travel;

vel: And if the said publick Stock be not sufficient to satisfy the said extraordinary Charge of Carriages, the Quarter-Sessions may raise the Money, as they now do for County-Gaols and Bridges.

XXXI. *Sett.* 31. No Waggon, &c. impressed by Authority of this Act, shall be obliged to carry above twenty Hundred Weight.

XXXII. *Sett.* 32. The Carriages for the Service of the Forces in Scotland shall be provided in like Manner, and paid at the Rates, as was directed by the Laws in Force there at the Time of the Union.

XXXIII. *Sett.* 33. If any Officer, military or civil, shall quarter the Wives, Children, or Servants, of any Officer or Soldier, in any such Houses, against the Consent of the Owners, the Party offending, if an Officer or Soldier, shall, on Complaint and Proof to the Commander in Chief of the Army, or to the Judge Advocate, be *ipso facto* cashiered; and if a Constable, or other civil Officer, he shall forfeit to the Party grieved 20 s. on Complaint and Proof to the next Justice, to be levied by Distress and Sale, rendring the Overplus, after reasonable Charges deducted.

XXXIV. *Sett.* 34. If after the 5th of June, 1715, any Officer or Soldier shall, without Leave of the Lord of the Manor, take or destroy any Hare, Cony, Pheasant, Partridge, Pigeon, or other Sort of Fowls, Poultry or Fish, or his Majesty's Game, within Great Britain, and on Complaint shall be convicted thereof on the Oath of one or more Witnesses before any Justice of Peace; every Officer shall for every such Offence forfeit 5 l. to the Poor of the Place, &c. and every Commander in Chief, for every such Offence committed by a Soldier under his Command, shall forfeit 20 s. to be distributed in Manner aforesaid: And if on such Conviction, and Demand made by the Constable or Overseers of the Poor, such Officer shall not in two Days pay the said respective Penalties, he shall forfeit his Commission, which is hereby declared to be null and void.

XXXV. *Sett.* 35. An exact Account shall be made of all Monies due, according to the Muster-Rolls, to every Regiment in his Majesty's Service, between the Pay-master General or other Pay-master, and the Colonel of every Regiment, or the Agent by him appointed to receive the Pay thereof from Time to Time, *viz.* When four Months become due, an Account shall be stated for the two preceding Months, and being so made up shall be register'd in a Book to be kept in the Pay-Office, and subscribed by the Pay-master, &c. and the Colonel, &c. and a Duplicate thereof, by them respectively sign'd, shall be given to the Colonel, &c. without Fee; which Colonel or Agent shall deliver to each Captain of the Regiment an Account

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Account of what belongs to him and his Troop or Company; and the Balance which shall remain on such Account, and all other Money then due to such Regiment, shall be paid by the Pay-master, &c. to such Colonel, &c. at such Time as his Majesty shall direct: And the Pay-master General, &c. offending herein, shall forfeit 100*l.* for every Offence, to the Person who shall sue for the same in any Court of Record: And if any Deputy of the said Pay-master, or any Agent of a Regiment, shall offend in the Premises, he shall *ipso facto* lose his Place, and be incapable of that or any other Office for the Future; and also be liable to pay 200*l.* to any Person who shall inform or sue for the same, by Action, &c. in any Court at *Westminster*, wherein no Essoin, &c. or more than one Imparlance shall be allowed: And if any Colonel shall offend herein, he shall forfeit 100*l.* to be sued for and recovered as aforesaid.

XXXVI. *Sett.* 36. The Constable, &c. may take up any Person suspected to be a Deserter, and carry him before a Justice, who is impower'd to examine him; and if by his Confession, or the Testimony of one or more Witnesses, it shall appear that he is a listed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice shall cause him to be convey'd to the County-Gaol, and transmit an Account thereof to the Secretary of War, that he may be proceeded against according to Law.

XXXVII. *Sett.* 37. And for the better Encouragement of any Person to secure Deserters, such Justice shall issue his Warrant to the Collector of the Land-Tax of the Parish where such Deserter shall be apprehended, for paying out of the same, arisen or to arise in the Year 1715, 20*s.* to the Person who shall apprehend, or cause to be apprehended every such Deserter, which 20*s.* shall be satisfied by the Collector on whom such Warrant shall be directed, and allowed on his Account.

XXXVIII. *Sett.* 38. Provided, That if any Person shall knowingly conceal any Deserter, or buy, exchange or receive from him any Arms, Clothes, Caps, or other Furniture, belonging to the King, or cause the Colour of such Clothes to be changed, he shall forfeit for every Offence 5*l.* on Conviction of one or more Witnesses before any Justice, to be levied by Distress on the Goods of such Offender; one Moiety to the Informer, by whose Means such Deserter shall be apprehended, the other to the Officer to whom he belonged.

XXXIX. *Sett.* 39. No Commission-Officer shall break open any House to search for Deserters without Warrant from a Justice; and if any such Officer shall, without such Warrant, forcibly enter into, or break open the Dwelling house or Out-houses of any Person whatsoever, under Pretence of Searching for Deserters, he shall forfeit 20*l.*

XL. *Seff. 40.* No Persons inhabiting in *Epsom* in *Surry*, or any other Place where medicinal Waters are, shall be liable by Vertue of this Act to have any Soldiers quarter'd on them, by Reason of their Lodging or receiving such Persons only as resort to those Places for the Benefit of the Waters or the Air, or for keeping their Horses at Livery, or selling Beer, Ale, or Viſuals to such Persons only.

XLI. *Seff. 41.* It shall be lawful for his Majesty to make and establish Articles of War, and to constitute Courts-Martial with Power to try and determine any Crime by such Articles of War, and inflict Penalties in any of his Majesty's Dominions, or elsewhere, beyond-Sea, (except in *Ireland*) during this Act, in such Manner as might have been done by his Majesty's Authority beyond-Sea in Time of War.

XLII. *Seff. 42.* If any Officer or Soldier shall desert beyond-Sea, and escape into this Realm or *Ireland*, he shall be try'd as if the said Offence had been committed within this Realm.

XLIII. *Seff. 43.* If any Person shall, in a Court-Martial, be tried and acquitted, or convicted, of any the Crimes or Offences before-mentioned, such Acquittal or Conviction shall be a full Bar to any Indictment or Proceedings for the same Offence.

XLIV. *Seff. 44.* So much of this Act as relates to the Punishment of Mutineers and Deserters within this Realm, and to such who shall conceal Deserters, shall extend to such Governors and other Officers in Garrisons, and Forces, as are now, or shall be, during this Act, in Pay in *Ireland*.

XLV. *Seff. 45.* Every Pay-master, Agent, or Clerk of any Regiment, Troop or Company, who is or shall be liable to account with any the Executors or Administrators of any Officer or Soldier, for any Pay of such Officer, &c. by him received, shall, on reasonable Demand, deliver a just Account to such Executor, &c. of such Sums as he shall have received for such Officer, &c. and for which he ought to account, such Executor, &c. paying for the same: And every Pay-master, &c. offending herein, shall forfeit the like Penalties, and to be recover'd in like Manner as is appointed by this Act, for such Colonels and Agents not giving due Accounts of the Pay of the said Officers, &c. to them themselves.

XLVI. *Seff. 46.* If any Action, &c. be brought against any Person for any Thing done in Pursuance of this Act, he may plead the General Issue, &c. and shall recover double Costs, for which he shall have the like Remedy, as in other Cases where Costs by the Laws of this Realm are given to the Defendants.

XLVII. *Seff. 47.* This Act, and every Thing therein contained, shall continue in Force from the 5th of *June*, 1715, to the 25th of *March*, 1716.

XLVIII.

XLVIII. Sect. 48. Every Person now in his Majesty's Service in the Land-Forces, and who has been so for three Years past, shall be at Liberty to demand his Discharge, if he thinks fit, from the Colonel of the Regiment to which he belongs: And also every Person who shall enter himself as a Volunteer, or be listed in his Majesty's Service, after he shall have continued therein for three Years, shall be at Liberty, if he think fit, to demand his Discharge from the Colonel, &c. (as before) such Soldier giving at least three Month's Notice of his desiring such Discharge; and such Discharges shall be granted gratis, in Writing under the Hand of such Colonel, who is hereby required to give the same accordingly. [Note, The first Part of this Clause is alter'd by the following Act of 1 G. c. 9. Sect. 11.]

XLIX. Sect. 49. Where any of the Invalids from Chelsea-Hospital, or elsewhere, shall be quarter'd in any Garrison of this Kingdom, the Governor thereof having certified to the Pay-master of the Guards, &c. that there are Debts owing in Quarters, or for Subsistence of such invalid Officers and Soldiers, the Pay-master or Agent, in whose Hands the Pay remains, is hereby required to issue the same to the said Governor or his Order, and his Receipt shall be a Discharge to the said Pay-master, &c. And the Governor within fifteen Days after Receipt thereof, shall, in the Presence of the said Officers and Soldiers, or of two or more Justices of the Peace, pay the Debts to the said Quarters, and for the said Subsistence, out of each Officer's and Soldier's Pay; and the Surplus remaining (if any be) to each Officer and Soldier, or such as they shall appoint. And every such Governor, on producing to the Pay-master General the Certificate of the Chief Magistrate, or of two or more Justices of Peace of the Place, for the Payment of the Quarters, and of the Captain or other Commission-Officer of the Invalids, for Payment of the Residue of the said Money, shall be discharged thereof, without being return'd or set *Insuper* in the Exchequer, for the Money so certified to be paid.

L. Stat. 1 G. c. 9. Sect. 1. Reciting, That whereas the Necessity of the present Affairs require a more strict Discipline to be used among the Forces in Being, or such as shall be enlisted for the Defence and Service of the Realm, than by the Act of 1 G. c. 3. [the preceding Act] is provided: Therefore enacted, That after the first of August, 1716, every Person in his Majesty's Service in the Army, or muster'd or in Pay as an Officer, or who have been listed or in Pay, or voluntarily enter'd himself as a Soldier, and is, the said first of August remaining in such Service, or shall, during this Act voluntarily enter himself as a Soldier, who shall at any Time before the

25th of March, 1716, in Great Britain or Ireland, excite or join in any Mutiny or Sedition, or desert his Majesty's Service in the Army, or being a Soldier listed in any Regiment, Troop or Company, shall list himself into any other Regiment, without a Discharge in Writing from the Colonel, or in his Absence the Field-Officer commanding in Chief the Regiment to which the Troop or Company in which he served does belong; or if he last served in any Independent-Troop or Company, from the Captain or Officer commanding in Chief such Independent-Troop, &c. shall suffer Death, or such other Punishment as by a Court-Martial shall be inflicted.

LI. *Sett.* 2: His Majesty by Warrant under his Royal Sign Manual, or the General of his Army, by Warrant under his Hand and Seal, may grant Commissions to any General, Lieutenant General, or other Officer, not under a Field-Officer, or Commander in Chief of a Garrison, to call Courts-Martial for punishing such Offenders as aforesaid.

LII. *Sett.* 3. No Court-Martial, which shall have Power to inflict any Punishment by Vertue of this Act, shall consist of less than thirteen, whereof none to be under the Degree of a Commission-Officer; and the President of such Court-Martial not to be under the Degree of a Field-Officer, or the then Commander in Chief of the Garrison where the Offender shall be tried.

LIII. *Sett.* 4. Provided, That no Field-Officer shall be tried by any under the Degree of a Captain; and that such Court-Martial may administer an Oath to any Witnesses in Order to the Examination or Trial of the Offences aforesaid.

LIV. *Sett.* 5. Nothing in this Act shall extend to exempt any Officer or Soldier from the ordinary Process of the Law.

LV. *Sett.* 6. This Act shall not extend to any of the Militia Forces of this Kingdom.

LVI. *Sett.* 7. In all Trials by Courts-Martial, where any Offence may be punished by Death, every Officer present at such Trial, before any Proceedings be had thereon, shall take an Oath before the Court, and Judge Advocate, or his Deputy, or one of them, who are empower'd to administer the same in these Words, *viz.*

You shall well and truly try and determine, according to your Evidence, in the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be tried.

So help you God.

And no Sentence of Death shall be given by any Court-Martial, unless nine Officers present concur therein: And if there be a greater Number present, the Judgment shall pass by the Concurrence of the major Part sworn, which shall not be

less than nine: And no Proceeding, Trial, or Sentence of Death shall be had or given, but between the Hours of eight in the Morning and one in the Afternoon.

LVII. Sect. 8. If any Person shall, in a Court-Martial constituted as aforesaid, be tried and acquitted or convicted, of any the Offences before-mentioned, such Acquittal or Conviction shall be a full Bar to any Indictment for the same Offence.

LVIII. Sect. 9. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, &c. and shall recover double Costs.

LIX. Sect. 10. It shall be lawful for his Majesty, under his Sign Manual, to make Articles for the better Government of his Forces, and inflicting Penalties, to be proceeded on to Sentence or Judgment in Courts-Martial to be constituted pursuant to this Act.

LX. Sect. 11. Whereas by the Act 1 G. c. 3. Sect. 47. it is provided, That every Person who has been in his Majesty's Service for three Years past, should be at Liberty, if he thought fit, to demand his Discharge, &c. Now declared and enacted, That no such Soldier hath or shall have Right to demand such Discharge by Vertue of the said Act, unless he shall give his Colonel three Months Notice at the least of his desiring such Discharge.

LXI. Sect. 12. It shall be lawful for his Majesty, (in Consideration of the present Danger which required the Raising of additional Forces) to quarter any of his Forces in such Parts of this Kingdom, in such Houses only as are subject to the Quartering of Soldiers, by Vertue of the Act 1 G. c. 3. and for such Time as his Majesty shall think fit, during the present Exigency of Affairs, and not exceeding the Term of the Continuation of this Act.

LXII. Stat. 1 G. c. 34. An Act for preventing Mutiny and Desertion, and for the better Payment of the Army, and their Quarters. *The first Session of this Act continues the two preceding Acts of 1 G. c. 3. and 1 G. c. 9. to the 25th of March, 1717, and extends them to the Forces in the Island of Minorca, and in his Majesty's Garrison of Gibraltar; with some Alterations and Additions, viz.*

LXIII. Sect. 12. Every Person falsely muster'd, &c. [as above, Par. X.] shall, besides the Punishment thereby inflicted, be taken to be a listed Soldier, and shall not be discharged, but by the Colonel of such Regiment, by Writing under his Hand.

LXIV. Sect. 16. If any Officer shall muster any Person that is a Servant allow'd by his Majesty in any of the Ranks, or any Person by a wrong Name, knowingly, he shall suffer as in Case of false Musters.

LXV,

LXV. *Stat.* 17. If any Constable, &c. shall refuse or neglect to billet any Officers or Soldiers, or shall voluntarily withdraw himself to avoid the so doing, and be thereof convicted before one or more Justices, by the Oath of one or more Witnesses, such Justice may impose a Fine on such Offender, for every such Offence, not exceeding 40*s.* nor less than 10*s.* and cause the same to be levied by Distress and Sale of Goods, rendering the Overplus to the Owner; which Fines shall be paid to the Overseers of the Poor of the Places where such Offences shall be committed, for the Relief of the Poor thereof. *This Penalty is increased by 3 G. c. 2. which see below, Par. LXXVII.*

LXVI. *Stat.* 21. *To the Clause in the above Act of 1 G. c. 2. touching the Deductions to be made by the Pay-master General, &c. out of any Officer's or Soldier's Pay, (which see above, Par. XXI. the following Words are added, viz. And such other necessary Deductions as shall from Time to Time be directed by his Majesty under his Royal Sign Manual.*

LXVII. *Stat.* 42. The Officers and Persons employ'd in the Train of Artillery, shall be subject to the Penalties and Punishments in this Act.

LXVIII. *Stat.* 43. All Monies arising by Respite may be apply'd as Levy-Money for recruiting the several Regiments, &c. in his Majesty's Service in such Manner and Proportions as his Majesty, the Lord High Treasurer, &c. or the Captain General, by Warrant under their Hands, shall direct.

LXIX. *Stat.* 46. No listed Soldier shall, after the 24th of March, 1715, be allow'd to be absent from his Quarters in Great Britain or Ireland, more than twenty Days in six Months, by any Furlow from any Officer, unless such Furlow be signed by the Colonel or commanding Officer in Chief of the Regiment of which such Person is a listed Soldier: And if any Officer, other than a Colonel, &c. shall sign any Furlow for a longer Time than by this Act is allow'd, he shall be liable to make good all such Debts as the Soldier shall owe, not exceeding 100*l.* And every Soldier who shall be absent from his Quarters above twenty Days in six Months, under Colour of any Furlow signed as aforesaid, shall be taken up and dealt with as a Vagabond, and sent to the Head-Quarters of the Regiment, &c. of which he is a Soldier: And no private Centinel shall have any Protection by his being a Soldier in any Regiment, &c. quartered within five Miles of London, unless he in his own Person constantly do his Duty in his Turn, or be excused by the Colonel, Lieutenant Colonel, or Major, or Head Officer of the independent Troop or Company of which he is a Soldier, by Writing under his Hand, signifying the Cause of such Excuse: And if any Officer shall knowingly sign a Certificate, containing any Cause of Excuse for any private Centinel's

tinel's omitting his Duty, which shall be feigned or untrue, or shall permit one Person to do Duty for another, he shall, for every such Offence, forfeit 20 l. one Moiety to the King, to other to him who will sue for the same: And if the said Penalty shall be recovered on the Evidence of any private Soldier, he shall, on Certificate thereof by the Judge before whom such Cause shall be tried, be forthwith discharged, if he request the same.

LXX. *Stat. 47.* No Person, who is listed or shall list himself as a Volunteer, shall, during the Continuance of this Act, be liable to be taken out of his Majesty's Service by any Process, other than some criminal Matter. *See Par. LXXVIII.*

LXXI. *Stat. 48.* Provided, That it shall be lawful for any Plaintiff on Notice first given in Writing of the Cause of Action to such Person so voluntarily listed, or left at his last Place of Residence before such Listing, to file a common Appearance in any Action to be brought for any Debt, so as to entitle him to proceed therein to Judgment and Outlawry, and to have Execution thereon, other than against the Body of him so voluntarily listed.

LXXII. *Stat. 49.* The Money called *Trophy* or *White-Coat* Money in the County of *Dorset*, shall be forthwith paid to the Treasurer of the Militia for the said County, or his Deputy, who is impower'd to give a Receipt for the same; and the said Monies shall be apply'd to the Use of the Militia, towards purchasing of Foot-Arms, as the Lord Lieutenant, or any two of the Deputy Lieutenants of that County shall direct. [*See Par. LXXX.*]

LXXIII. *Stat. 1 G. 2. 47. Stat. 1.* Enacted, That if any Persons, (other than enlisted Soldiers, against whom sufficient Remedy is already provided by the Law) shall, from the first of June, 1716, in Great Britain or Ireland, or in the Isles of Jersey or Guernsey, by Words or other Means, directly or indirectly perswade and procure any Soldier in the Service of his Majesty, to desert, or shall endeavour in Manner aforesaid, to prevail on or procure such Soldier to desert, he shall forfeit 40 l. to his Majesty, &c. or to any other Person who shall sue for the same: [*See Par. LXXIX.*] And if any such Offender being convicted, hath not any Goods, &c. to the Value of 40 l. to satisfy the same; or if from the Circumstances and Heinousness of the Crime it shall be thought proper, the Court before which the said Conviction shall be made, shall award the Offender to Prison, for any Time not exceeding six Months, without Bail or Mainprize, and also to stand in the Pillory for one Hour in some Market-Town near the Place, or in the Market-Town it self, where the Offence was committed, in open Market.

LXXIV.

LXXIV. *Señ. 2.* Provided, That no Action shall be brought, or Prosecution carry'd on by Vertue of this Act, unless the same be commenced within six Months after the Offence committed.

LXXV. *Señ. 3.* Any Person, having professed the Popish Religion, who since the first of February, 1715, hath been inlisted in his Majesty's Troops, and who shall not, after the first of June, 1716, in Great Britain or Ireland, or the Isles of Guernsey or Jersey, produce a Testimonial of his having publicly renounced the same; or who shall not at the Time of his Inlisting, declare to the Officer or Soldier who inlisteth him, that he has been, or at present is, of the Popish Religion, shall be liable to such corporal Punishment, not extending to Life, as a Court-Martial shall inflict.

LXXVI. *Stat. 3 G. c. 2. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.* This Act was to continue till the 25th of March, 1718; and is Clause for Clause the same as the Act 1 G. c. 34. except as follows.

LXXVII. *Señ. 17.* If any Constable, &c. shall refuse or neglect to billet any Officers or Soldiers, &c. (*as in the Act 1 G. c. 34. Señ. 17. which see above, Par. LXV.*) the Justice may impose a Fine on every such Offender, not exceeding 5*l.* nor less than 40*s.* to be levied and disposed as in the said Act.

LXXVIII. *Señ. 48.* If any Person, listed as a Volunteer, shall be arrested, it shall be lawful for one Justice of Peace, by Warrant under his Hand and Seal, to discharge such Soldier so arrested, without Payment of any Fee, on due Proof by one Witness that he was legally listed in his Majesty's Service.

LXXIX. *Señ. 50.* For such Offences as shall be committed against the Act 1 G. c. 47. [Entituled, *An Act for the more effectual and exemplary Punishment of such Persons as shall seduce Soldiers to desert, &c.*] in England, the Penalties thereby enacted shall be sued for and recoverable in any of the Courts at Westminster, and in Scotland, in the Court of Exchequer there; and in Ireland, in any of the four Courts at Dublin.

LXXX. *Señ. 51.* Any Two of the Deputy-Lieutenants of the County of Dorset may summon before them any Persons, that shall have or be supposed to have in their Hands, any Trophy or White-Coat Money, and adjust the Quantum in their Hands, and when it came into their Hands, or into the Hands of those for whom they are answerable: And if any Persons so summoned shall refuse to appear and be examined on Oath touching the Discovery of the said Monies; or, after such Discovery made, to pay the Monies which shall appear to be due, to the Treasurer of the Militia-Money of the said County, the

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said Deputy-Lieutenants may commit them to the Common Gaol, there to remain till they submit to be examin'd, and are examined accordingly; and also may distrain on the Goods and Chattels of such Persons, who shall or may be chargeable with any the said Monies in Manner aforesaid, all such Monies, with Interest for the same at the Rate of 3*l.* per Cent. from the Time the Money was received till Payment to the said Treasurer according to the Meaning of this Act.

LXXXI. Stat. 4 G. c. 4. Sect. 1. For punishing Mutiny and Desertion, &c. *This Act is almost the same as the former, and was to continue till the 25th of March, 1719. The Alterations follow.*

LXXXII. Sect. 2. His Majesty may grant his Warrant to the Lord Lieutenant of Ireland, or other Chief Governors there to appoint Courts-Martial in that Kingdom, for the Trial and Punishment of all Offences specified in this Act.

LXXXIII. Sect. 3. It shall be lawful for such Courts-Martial, by their Sentence or Judgment, to inflict corporal Punishment, not extending to Life or Limb, on any Soldier, for Immoralities, Misbehaviour or Neglect of Duty.

LXXXIV. Sect. 19. No Officer in Scotland shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of Edinburgh.

LXXXV. Sect. 47. No Volunteer, during this Act, shall be liable to be taken out of his Majesty's Service, by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt or other just Cause of Action, and unless before the taking out such Process, &c. not being for a criminal Matter, the Plaintiff therein, or some other Person in his-Behalf, shall make Affidavit before one or more Judges of the Court of Record, or other Court out of which such Process, &c. shall issue, That to his Knowledge the Sum is justly due to the Plaintiff from the Defendant, in the Action on which such Process shall issue, or the Debt or Damages and Costs for which such Execution shall be issued out, amounts to ten Pounds at least; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum and Oath no Fee shall be taken: And if any Person shall be arrested contrary to the Intent of this Act, it shall be lawful for any Judge of such Court, on Complaint by the Party himself, or by his superior Officer, to examine into the same, by the Oath of the Parties, or otherwise, and by Warrant under his Hand and Seal to discharge such Soldier so arrested, without Fees, on due Proof made before him that such Soldier was legally listed in his Majesty's Service, and arrested contrary to the Intent of this Act; and also to award to the

Party complaining such Costs as to such Judge shall seem reasonable; for Recovery whereof he shall have the like Remedy that the Plaintiff in the said Action might have had for his Costs, in Case Judgment had been given for him with Costs against the Defendant.

LXXXVI. *Seß. 49.* If any High Constable, &c. who by Virtue of this Act shall quarter or be employ'd in quartering any Officers or Soldiers, shall receive, demand or agree for any Money or Reward to excuse any Person from quartering of Soldiers; or if any Victualler shall refuse to receive any Soldier so quartered upon him, and be thereof convicted by one or more Justices, either by his own Confession, or by Oath of one or more Witnesses, every such High Constable, &c. so offending, shall forfeit 5 l. (or any Sum not exceeding 5 l. nor less than 40 s. as the Justice before whom the Matter shall be heard shall in his Discretion think fit) to be levied by Distress and Sale by Warrant of such Justice, directed to any other Constable within the County, &c. or to any of the Overseers of the Poor where such Offender shall dwell; the said Sum, when levied, to be paid to the Overseers where the Offence shall be committed, for the Use of the Poor of the Parish.

LXXXVII. *Seß. 50.* Any one or more Justices may, by Warrant or Order under Hand and Seal, command any High Constable, Constable, Beadle, &c. who shall quarter any Soldiers in Pursuance of this Act, to give an Account in Writing, of the Number of the Officers and Soldiers billeted by them, and also, of the Names of the House-keepers on whom they are quarter'd, and of the Street or Place where such House-keepers dwell, and of the Signs (if any) belonging to their Houses, that it may appear to the Justice, where the Officers and Soldiers are quarter'd, that he may be the better enabled to punish all Abuses in the Quartering or Billeting of them.

LXXXVIII. *Stat. 5 G. c. 5. Seß. 1. An Act for punishing Mutiny and Desertion, &c.* This Act was to continue in Force till the 25th of March, 1720, and is in every Clause like the preceding Act, and farther enacts as follows.

LXXXIX. *Seß. 43.* So much of this Act as relates to the Punishment of Mutineers and Deserters within this Realm, and such who shall conceal Deserters, shall extend to such Governors and other Officers in Garrisons and Forces, as shall have Pay in Ireland, during the Continuance of this Act.

XC. *Seß. 44.* No Person, acquitted or convicted of Capital Crimes, Violences or Offences, by the Civil Magistrate, shall be liable to be punish'd by a Court-Martial for the same, otherwise than by Cashiering.

XCI. *Stat.* 46. If any Officer or Soldier shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any Subject of this Realm, which is punishable by the Laws of the Land, the commanding Officer of every Regiment, &c. is required, on Application to him made on Behalf of the Party injured, to use his utmost Endeavour to deliver over the Party accus'd to the Civil Magistrate, and shall be assisting to the Officers of Justice in the apprehending such Offender, in Order to bring him to Trial; and the Officer to whom such Application is made shall not proceed to the Trial of such Offender by a Court-Martial within eight Days after the Offence committed, unless at the Desire of the Person injured; but after eight Days, in Case the injured Person shall have made no Application to such commanding Officer, nor proceeded to the Prosecution of such Offender before a Civil Magistrate, and given Notice thereof to such commanding Officer, such Offender may be tried by a Court-Martial for any of the said capital Crimes, Violences or Offences: And if any such commanding Officer shall neglect or refuse, on such Applications as aforesaid, to deliver over such accused Person to the Civil Magistrate, or to be assisting to the Officers of Justice in the apprehending such Offender, or shall proceed to Trial of such Offender by a Court-Martial, within eight Days after the Offence committed, unless at the Desire of the Person injured, every Officer so offending, being convicted thereof before two Justices of the Peace for the County where the Fact is committed, by the Oath of two Witnesses, shall be deemed to be *ipso facto* cashiered, and be utterly disabled to hold any Civil or Military Office within this Kingdom, or in his Majesty's Service: Provided the said Conviction be affirmed at the next Quarter-Sessions for the said County, and a Certificate thereof be transmitted to the Judge-Advocate, who is to certify the same to the next Court-Martial.

Sope.

I *Stat.* 1 G. c. 36. *Stat.* 14. If after the 16th of April, 1716, any Maker of Sope shall fraudulently hide or conceal, or cause to be hid, &c. any Sope chargeable by the Acts 10 A. c. 19, and 12 A. *Stat.* 2. c. 9. or any Materials for making the same, to deceive his Majesty of the Duties by the said Acts granted, he shall forfeit 300 l. for every such Offence, and all the Sops so hid and concealed.

II. *Stat.* 15. The Penalties for concealing of Sope and Materials for making it, imposed by this Act, may be sued for, re-

covered, levy'd and mitigated by such Ways and Methods, as any Penalty imposed by the Laws of Excise may be; and one Moiety shall be to the Crown, the other to the Informer.

South-Sea Company.

I. Stat. 1 G. 2. 21. Sect. 1. Enacted, That the Sum of 822,032 *l.* 4 *s.* 8 *d.* shall be added and united, and be deemed, (as from the 24th of June, 1715,) to be added and united to the capital Stock of the South Sea Company; which capital or joint Stock, with the same Addition, doth amount, and shall, from the said 24th of June, be esteemed to amount to 10,000,000 *l.* Sterling: And the Treasurer of the Navy shall, before *Michaëlasmas*, 1715, write the said Sum of 822,032 *l.* 4 *s.* 8 *d.* in the said Company's Book, as Part of the capital Stock of the same, and the said additional Stock so written in, shall be transferrable, and from the said 24th of June shall have the same Dividends, Benefits and Privileges, and be subject to the same Rules and Powers, as the Rest of the Capital Stock is from that Time to have and be subject to.

II. Sect. 2. The Treasurer of the Navy, who shall write in the said Sum, shall immediately thereupon transfer and assign, in due Form, to the Cashier of the said Company, or whom the Court of Directors shall appoint, for the Use of the said Company, the full Sum of 583,339 *l.* 8 *d.* Part of the said Stock so written in as aforesaid, that is to say, 275,339 *l.* 8 *d.* Part thereof, in full Satisfaction of their said original Fund for the Half-year, reckoning from *Christmas*, 1714, and ended at *Midsummer*, 1715. 300,000 *l.* more thereof, in full Satisfaction of their said increased Fund for the Half-year, reckoning from *Midsummer*, 1715, and to end at *Christmas*, 1715, inclusively, and the remaining 8000 *l.* thereof in full Satisfaction of the Allowance of 8000 *l.* per Annum, for their Charges of Management for one whole Year, beginning at *Christmas*, 1714, and ending at *Christmas*, 1715, inclusively.

III. Sect. 3. The Governor and Company, or their Cashier for their Use, may proceed to receive so much of the Monies, arising by the Duties on Salt, and Candles, and by the Rates on Monies given with Clerks, Apprentices and Servants, mentioned in the Act of 9 A. 2. 1. as they might have received if this Act had not been made: But within ten Days after *Christmas*, 1715, an exact Account shall be made by the Auditor of the Exchequer, of all the Monies which, within that whole Year, the said Company shall have received, of those particular Duties or Rates; and the Total of the Monies so received shall be reckon'd as Part of the said increased Fund which shall

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first grow due due to the said Company after *Christmas*, 1715, and shall be deducted out of the same Fund accordingly.

IV. *Stat.* 4. The Sum of 238,693 *l.* 4 *s.* Residue of the said Sum of 822,032 *l.* 4 *s.* 8 *d.* shall be transferrable, as the Treasury by Warrant under their Hands shall direct, for the Use of the Navy, Land-Forces, or other publick Services.

V. *Stat.* 5. All the several Duties, Revenues and Surplus Monies, which by the said Act 9 *A.* were settled, appropriated or intended for answering the yearly Fund which was to be adjusted by that Act, and the said yearly Sum of 8000 *l.* as are already come into Possession, and the rest of them as they shall severally take Effect, are hereby appropriated, and shall be apply'd, for making good all the Payments, which after *Christmas*, 1715, shall grow due on the said encreased Fund, and the said yearly Sum of 8000 *l.* for Management as aforesaid, under such Penalties and Disabilities for diverting, misapplying or detaining any the Monies applicable to the Payments by this Act directed, as by the said Act 9 *A.* or any other Act relating thereto, were intended to be inflicted for diverting, &c. any the Monies which were to be paid in Pursuance thereof.

VI. *Stat.* 6. From and after *Christmas*, 1715, the Commissioner of the Treasury, &c. shall quarterly, at the four most usual Feasts in the Year, or within twenty Days after each of them, cause an exact Account to be made of all the Monies which, on or before the said respective Quarter Days, within the Quarter then ended, shall have come into the Exchequer, of the said Duties, Revenues and Surplus-Monies, for or towards Payment of the said increased Sum, and the said yearly Sum for Charges; and if on making such Account, the Monies so brought in, shall appear to fall short of one fourth Part of the said yearly Sums of 600,000 *l.* and 8000 *l.* for the preceding Quarter, then, all and every Sum so deficient shall on Demand to be made by the said Company or their Cashier, by Writing under the Common Seal of the Company, or signed by the said Cashier, and to be left with or for the Treasurer of the Navy, at his Pay-Office, or within twenty Days after such Demand, be made good by the said Treasurer, out of any Monies then in his Hands, or first coming into his Hands, for the Service of the Navy: All which Monies are hereby charged to make good the said Payments, which shall be grown due to the said Company, with Preference to all other Payments whatsoever: And the said Treasurer of the Navy is required (in Default of Specifick Money to answer the Payment of any such Deficiency) forthwith to dispose of so much of any Tallies, Orders, Annuities, or other Parliamentary Securities, as shall be in his Hands or Power, for the Service of the Navy, as will enable him to discharge the Deficiency then due to the said Company; and within twenty Days after such Demand as

aforesaid, to pay the same in Money, without any Deduction, Discount or Abatement; and such Treasurer of the Navy shall be allowed on his Account in the Exchequer all such Payments so made, and also all such Loss as shall happen by disposing such Securities, on his Oath verifying the Truth thereof.

VII. *Sett.* 7. If any Treasurer of the Navy shall refuse or delay to make such Payment and Application of any the public Monies which shall be in his Hands or Power, or, (in Default of specifick Money) to sell and dispose of any the Tallies, &c. and to apply the Money arising thereby for making good such Deficiency, he shall forfeit his Office, and be liable to pay to the said Company the Value of every Sum so refused or neglected to be paid, with treble Damages and full Costs of Suit, to be recover'd in any of his Majesty's Courts of Record, by the said Governor and Company, by Action of Debt, &c. wherein no Effoin, Privilege of Parliament, &c. or more than one Impar lance, shall be granted or allowed.

VIII. *Sett.* 8. After the 25th of *December*, 1715, there shall be annually within twenty Days after the 25th of *December*, an Estimate in Writing made by the Treasury, by a Medium of three preceding Years, of how much the Revenues settled for Payment of the said yearly Fund of 600,000 *l.* and the said yearly Sum of 8000 *l.* will produce, from the 25th of *December* preceding such Account, and ending the 25th of *December* succeeding the same, and how much it is like to fall short of paying thereof; and the Treasury shall cause such Estimate to be laid before the Commons in Parliament, if then sitting; otherwise at their next Session, that sufficient Provision may be made for the Navy, and Victualling thereof, for that Year; but the Delay of making such Provision shall not be any Stop or Detriment to the making good in Manner aforesaid, the Deficiencies that shall happen in Payment of the said yearly Fund and Sum, but the same shall, till Redemption thereof, be answer'd and made good by the Treasurer of the Navy, as aforesaid.

IX. *Sett.* 9. At any Time, on one Year's Notice, after the 25th of *December*, 1716, on Repayment by Parliament of the said Sum of 10,000,000 *l.* and of all Arrears of the said yearly Sums of 600,000 *l.* and 8000 *l.* or on Payment thereof, out of the Surplus Monies of the said Duties and Revenues, then all the Duties by the said Act 9 *A.* or by this present Act appropriated, shall and may be disposed of by Parliament, and the said yearly Fund of 600,000 *l.* and all Annuities out of the same, and the said yearly Sum of 8000 *l.* shall cease and determine; but the said Corporation shall continue for ever, and have perpetual Succession, and enjoy all such Forts, Factories, &c. and all such Benefits of Trade, and other Benefits, &c. whatsoever, to which they would have been entitled by the said

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said Act of 10 A. c. 30. in Case the Redemption of their yearly Fund were made pursuant to that Act.

X. *Stat.* 10. The said several Acts of 9 A. c. 21. and 10 A. c. 30. and all the Powers, Privileges, &c. therein contain'd, (being now in Force) concerning the said Corporation, or the Duties by those Acts settled, and the yearly and other Sums to be paid out of the same, (such Alterations as are made by this Act always excepted) shall continue and be put in Execution in Relation to the said Corporation, and the said Duties appropriated by this Act, and the yearly or other Sums hereby charged thereon, as fully as if the same Powers, &c. were repeated and re-enacted in this Act. [*See the rest of this Act, Tit. Annuities, Par. XX.*]

XI. *Stat.* 3 G. c. 9. The Preamble recites, That whereas the capital or joint Stock of the Governor and Company of Merchants trading to the *South-Seas*, &c. being adjusted pursuant to several Acts of Parliament, amounts to ten Millions, and in Respect thereof a yearly Fund of 600,000 l. is payable to the said Company after the Rate of 6 l. *per Cent. per Annum*, besides a yearly Sum of 8000 l. towards the Charges of Management, subject nevertheless to a Proviso of Redemption contained in the Act of 1 G. c. 21. And that whereas the said Governor, &c. are contented in Regard the Rate of Interest is very much less'n'd, to accept, after *Midsummer*, 1718, one Annuity of 500,000 l. being after the Rate of 5 l. *per Cent. per Annum*, for the said ten Millions, together with the said yearly Sum of 8000 l. Therefore enacted, *Stat.* 1. That the Governor and Company of Merchants of *Great Britain* trading to the *South-Seas*, and other Parts of *America*, and for encouraging the Fishery, and their Successors, shall be fully satisfied and paid, in the first Place, all such Monies as are due or shall grow due at any Time before the Nativity of *St. John Baptist*, 1718, on the yearly Fund of 600,000 l. and the yearly Sum of 8000 l. out of the several Revenues charged therewith, or by such other Ways and Means as by any former Acts are prescribed in that Behalf.

XII. *Stat.* 2. After the Nativity of *St. John Baptist*, 1718, all Payments on the said yearly Fund of 600,000 l. which from thenceforth might grow due, shall cease and determine.

XIII. *Stat.* 3. The said Company shall have the said yearly Fund of 500,000 l. and the said 8000 l. *per Annum* which are hereby charged on the Duties, &c. which by the Act 9 A. c. 21. or by any other Act now in Force were chargeable with the said former yearly Payments; and shall be paid to the said Company quarterly, at the four most usual Feasts or Days of Payment in the Year; the first Payment to be made at *Michaelmas*, 1718. And all the Payments shall be made out of the

Duties before-mentioned, with Preference to all Payments that shall hereafter be charged thereon (the Monies of the said yearly Fund of 600,000 *l.* and the said yearly Sum of 8000 *l.* always excepted).

XIV. *Señ. 4.* The said Company shall advance into the Exchequer such Sums not exceeding 2,000,000 *l.* at such Times and in such Proportions at a Time, as any three or more of the Commissioners of the Treasury shall by Writing under their Hands to be deliver'd at the publick Office of the Company in London, call for and require; so as all such Calls be made by the 24th of December, 1717; and so as they be not required at any one Time to advance more than one fourth Part of the said Sum; and have fourteen Days between each Payment, and after the Delivery of every such Writing, for advancing of every such Part as aforesaid: And in Case the Company make Failure in Payment of Monies so to be advanced, the Money whereof such Failure shall be made, may be recover'd in his Majesty's Name, by Action of Debt, &c. in any the Courts at Westminster; in which Action, &c. it shall be lawful to declare, That the said Governor, &c. are indebted to his Majesty the Monies whereof they shall have made Default in Payment according to the Form of this Statute, and have not paid the same; which shall be sufficient; and there shall be recover'd to his Majesty's Use, against the said Governor, &c. Damages after the Rate of ten Pounds *per Cent. per Annum* for the Monies so unpaid, besides full Costs; and the said Company and their Capital Stock shall be liable thereto.

XV. *Señ. 5.* The Company, for every Sum they shall advance in Part of the said two Millions, shall have an Annuity after the Rate of 5 *l. per Cent. per Annum*, for ever, but subject to the Proviso of Redemption herein after contain'd; and every such Annuity for the Money so advanced, shall be charged upon, and paid out of the Monies arising of the aforesaid Duties, &c. over and above so much as shall be sufficient to pay off the Monies grown due on the said yearly Sums of 600,000 *l.* and 8000 *l.* to the Quarter that shall end at Midsummer, 1718. and from thenceforth, on the said yearly Fund of 500,000 *l.* and the said yearly Sum of 8000 *l.* And the said Annuities for such Monies so to be advanced shall be paid to the Company in Manner following, *viz.* The first Payment after the Rate of 5 *l. per Cent. per Annum*, shall be computed by the Day, and satisfied from the Day or respective Days on which the said two Millions, or any Part thereof shall be advanced as aforesaid, until the quarterly Feast-Day, or respective quarterly Feast-Days next ensuing; and from thenceforth shall be paid Quarterly, at the four most usual Feasts or Days of Payment, by even and equal Portions.

XVI. *Sec.* 6. The said annual Fund of 500,000 *l.* the said annual Sum of 8000 *l.* the said Annuity after the Rate of 5 *l.* *per Cent. per Annum*, payable for the said two Millions, or so much thereof as shall be advanced by this Act, and all Arrearages of the said annual Sum of 600,000 *l.* the said annual Sum of 8000 *l.* and the said annual Stock which the Company are to have in respect thereof, and such additional Stock as they shall call in from their Members for carrying on their Trade, shall be at all Times hereafter free from all Taxes and publick Impositions whatsoever, to be charged thereon by Authority of Parliament, or otherwise.

XVII. *Sec.* 7. The Capital Stock of 10,000,000 *l.* and so much as is or shall grow due on the said yearly Sum of 600,000 *l.* to be paid for the Quarter to end at *Midsummer*, 1718, and the said yearly Sums of 500,000 *l.* and 8000 *l.* to be continued as aforesaid, and the said 2,000,000, or such Part thereof as shall be advanced, and the said Annuities after the Rate of 5 *l. per Cent. per Annum*, payable for the same to the said Company, and the Share of every Member in the Capital Stock and Funds, shall be adjudged in Construction of Law, and in all Courts of Law and Equity, to be a personal, and not a real Estate, and shall go to the Executors or Administrators of any Person dying possessed thereof, or entitled thereunto, and shall not be liable to Foreign Attachments by the Custom of *London*, or otherwise; and no Member of the said Company shall, by Reason of his being a Member, or of any Thing in this Act contained, be disabled from being a Member of Parliament, nor shall be adjudged liable to be a Bankrupt.

XVIII. *Sec.* 8. Orders shall be signed by the Treasury for the more regular Payment of the Monies intended by this Act to be paid to the said Company; which Orders so signed shall be good and effectual in Law, and not determinable on the Death or Removal of any Commissioner of the Treasury, or High Treasurer for the Time being, or upon the Determination of the Power of them, or any of them; nor shall any Commissioners of the Treasury, &c. have Power to revoke or make void such Orders, so signed as aforesaid.

XIX. *Sec.* 9. Weekly, or otherwise, as Monies of the said Duties, &c. applicable to the Payment of the said Annuities, payable to the said Company, shall be brought into the Exchequer, such Monies shall be issued on such Orders for Payment of the said Annuities, to grow due at the End of the Quarter of a Year in which such Payments shall be made; so as such weekly or other speedy Payments do not exceed the Sum of the quarterly Payment which shall grow due at the End of each Quarter respectively.

XX. *Sec. 10.* All the Duties, &c. and all proportional Parts thereof, which were applicable to the Payment of the said yearly Fund of 600,000 *l.* and the former yearly Sum of 8000 *l.* during the Continuance thereof, shall be continued, and be payable to his Majesty, &c. for ever, for satisfying as well the said yearly Fund of 600,000 *l.* and the said yearly Sum of 8000 *l.* and all Arrears thereof till *Midsummer*, 1718, as also the said yearly Fund of 500,000 *l.* and the said yearly Sum of 8000 *l.* hereafter to be paid, and all such new Annuities after the Rate of 5 *l. per Cent. per Annum*, for the said Sum of two Millions, or so much thereof as shall be advanced on this Act, in the Order and Form herein before prescribed, and subject to such Redemption as aforesaid: And the said Duties, &c. shall be raised and brought into the Exchequer in England, for the same Purposes, according to such Rules, &c. with such Drawbacks, &c. and under such Penalties, &c. as are prescribed by any Acts now in Force, or by any Clauses, &c. therein contained, or thereby referred unto, as fully and effectually, as if the same Acts, Clauses, &c. were re-enacted in this Act: And all the Monies, which shall be brought into the Exchequer, of the said Duties, &c. for the Purposes aforesaid, shall be fairly enter'd in a Book to be kept in the Offices of the Auditor of the Receipt and Clerk of the Pells, severally, for that Purpose, to which all Persons concerned shall have free Access with Fee.

XXI. *Sec. 11.* All the Monies of the said Duties, &c. which shall or ought to be brought into the Exchequer for the Purposes aforesaid (except the necessary Charges of raising, &c. and except such Part thereof as by any former Act is applicable to the Repayment of Loans that still remain unsatisfy'd, and the Interest thereof) shall be appropriated and apply'd for Payment of the said yearly Fund of 600,000 *l.* and the said former yearly Sum of 8000 *l.* due at *Midsummer*, 1718; and for Payment of the said yearly Fund of 500,000 *l.* from and after the said Time, and the said growing yearly Sum of 8000 *l.* and for Payment of the said Annuities after the Rate of 5 *l. per Cent.* hereafter to be acquired by Virtue of this Act, in their due Order before directed, and without Fee or Charge to the said Company, but subject to the Redemption herein after prescribed: And the respective Officers of the Exchequer, who shall delay, divert or misapply any the said Moneys, contrary to this Act, shall for any such Offence be forejudged from their Offices, be render'd incapable to serve his Majesty, &c. and be liable to pay double the Value of any Sum so delay'd, &c. to the said Company; to be recovered by Action of Debt, &c. in any of the Courts at *Westminster*, wherein no Essoin, &c. or more than one Imparllance shall be allowed.

XXII. *Stat.* 12. If the Produce of the said Duties, &c. shall be so deficient, that the Money arising thereby shall not extend to compleat the Payment, at the End of any Quarter, of all the Monies then due on the said yearly Fund of 500,000 *l.* and the said yearly Sum of 8000 *l.* (besides any Arrears due on the said former Sums of 600,000 *l.* and 8000 *l.*) then the Deficiency of any such Quarter shall be supply'd out of the overplus Monies of the said Duties, arising in any subsequent Quarter; and in Default thereof by the Space of half a Year, then all such Deficiencies shall from Time to Time be made good out of the General yearly Fund, by another Act of this Session establish'd for redeeming the Duties, charged by several Lottery-Acts of the 9th and 10th of the late Queen, and certain annual Payments out of the hereditary Excise, in the said Act of this Session mentioned; or out of Money to be raised at the Exchequer for purchasing Annuities at 5 *l. per Cent. per Annum*, for every such Deficiency: Which Annuities shall be charged on the said General yearly Fund, and be payable and transferrable at the Bank of England, as other Annuities payable out of the said General Fund are intended by the said other Act of this Session to be payable and transferrable, till Redemption thereof by Parliament.

XXIII. *Stat.* 13. The said Sum of two Millions, or so much thereof as shall be called for and actually advanced by the said Company, shall be apply'd towards paying off the Principal and Interest after the Rate of 6 *l. per Cent. per Annum*, now payable by the said Lottery-Acts towards redeeming the several Duties now chargeable therewith, and the said annual Payments out of the said hereditary Excise: And all the Deficiencies of the said New Annuities at 5 *l. per Cent.* payable to the said Company by Vertue of this Act, shall be made good out of the General Fund by the other Act of this Session establish'd, or out of the Monies to be raised for purchasing Annuities at 5 *l. per Cent.* for every such Deficiency; which Annuities shall be charged on the said General yearly Fund, and be payable and transferrable at the Bank, &c.

XXIV. *Stat.* 14. If at the End of any Quarter there shall be an Excess or Surplus of the Monies brought into the Exchequer, of the said Duties, &c. and such Excess, &c. shall remain there, over and above the Money then grown due for Arrears of the said Fund of 600,000 *l.* and the former yearly Sum of 8000 *l.* and for the said yearly Fund of 500,000 *l.* and the said growing Annuity of 8000 *l. per Annum*, and the said new Annuities at 5 *l. per Cent.* to be payable on this Act; then such Excess or Surplus shall, from Time to Time, attend the Disposition of Parliament, and be apply'd according to Acts of Parliament in that Behalf, and not otherwise.

XXV. *Self.* 15. It shall be lawful for the said Governor and Company of Merchants of Great Britain, from Time to Time as they shall see Cause, to call in from their respective Members, proportionably to their Interest in the Capital Stock of the said Company, or by opening their Books of Subscription, or by granting Annuities redeemable by the said Company, or by any other Method as they shall think proper, to raise any Sum of Money as in a General Court shall be judged necessary, and order'd to be called in; and all Executors, Administrators, Guardians and Trustees shall be indemnify'd in paying the same; and if any Member shall refuse to pay his Share of the Money so called for, at the Time appointed by Notice inserted in the *London Gazette*, and fixed on the *Royal Exchange*, it shall be lawful for the Company not only to stop the Dividend, &c. payable to such Member, and to apply the same towards Payment of the Share of the Money so called for, and which ought to have been paid by such Member so neglecting, till the same be satisfied, but also to stop the Assignments of every such Defaulter, and to charge him with an Interest of 10 l. per Cent. per Annum, for the Money so by him omitted to be paid, till the Payment thereof; and the Share and Stock of such Defaulters shall be liable to make good the Payment thereof, and the Interest as aforesaid; and if the Principal and Interest shall be unpaid by the Space of three Months, then the Company shall have Power to sell so much of the Stock of such Defaulter as will satisfy the same, rendering the Overplus to the Proprietor: And the said Company, in a General Court, when they shall judge their Affairs will admit thereof, may cause any Sums so called in, to be divided amongst their Members, in Proportion to their respective Interests in the Capital Stock.

XXVI. *Self.* 16. The Company may borrow Money upon any Contracts, Bills, &c. under their Common Seal, or on Credit of their Capital Stock, for such Interest, for any Time not less than six Months, as they shall think fit; and give Security under their Common Seal, or by assigning their Capital Stock, or any Part thereof, or otherwise, as shall be to the Satisfaction of the Lenders; which Bills, &c. shall not be chargeable with any Stamp Duties.

XXVII. *Self.* 17. So much Money as shall be called for by the said Company from their respective Members, for or in Part of the said two Millions, shall, if the Company think proper, be deemed an additional Stock, and be written into the Books of the said Company, and each Member shall have Credit in the said Books for his Proportion thereof; and the Members who shall have a Share in the Additional Stock, may assign and transfer the same in the Books of the Company, in the like Method as is prescribed by the Acts of Parliament and

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Charter now in Force, for Assignments or Transfers of Original Stock; and may devise the same by Will in such Manner as any Share in the Original Stock is deviseable.

XXVIII. *Señ. 18.* The Company shall continue a Corporation, and shall receive the said yearly Sum of 600,000 *l.* till the Quarter to end at *Midsummer*, 1718, and the said yearly Sums of 500,000 *l.* and 8000 *l.* and the said Annuities at 5 *l.* *per Cent. per Annum*, till the same shall be redeemed according to this Act; and shall hold and enjoy all their Forts, Factories, Lands, &c. and sole Benefit of Trade to the *South-Seas*, and elsewhere, with a perpetual Succession, and all Abilities, Powers, Franchises, Exemptions, &c. whereto the Company was, before the making of this Act, entitled by any Act of Parliament, Grant or Charter now in Force; all which are by this Act ratified and confirmed to them; (except the said former Fund of 600,000 *l. per Annum*, which is to determine the 24th of *June*, 1718) freed from all former Proviso's, Powers, &c. for redeeming, determining, or making Void the same, but subject to the several Proviso's and Powers of Redemption hereafter in this Act contained.

XXIX. *Señ. 19.* On Repayment of the said two Millions, or so much thereof as shall be called for and advanced as aforesaid, without any Discount or Abatement, and of all Arrears of the Annuities at 5 *l. per Cent.* payable for the same, the same Annuities shall from thenceforth cease and determine.

XXX. *Señ. 20.* On one Year's Notice to be given by Authority of Parliament at the 24th of *June*, 1723, or at any of the quarterly Feast-Days after, and on Repayment by Parliament to the said Company, of the said Sum of ten Millions, according to such Notice, without any Deduction or Abatement; and on Payment of all Arrears of the said yearly Sums of 500,000 *l.* and 8000 *l.* the said yearly Sums shall from thenceforth determine.

XXXI. *Señ. 21.* If at any Time at or after the 24th of *June*, 1720, Notice shall be given by Parliament for Redemption of the said yearly Sums of 500,000 *l.* and 8000 *l.* and if according to such Notice Payment be made to the Company of any Sum, not less than one Million at a Time, in Part of the said ten Millions, and of all Arrears then due to them of the said yearly Sums of 500,000 *l.* and 8000 *l.* or so much of those Arrearages as shall bear a Proportion to the Principal Monies remaining unsatisfy'd, to be computed by the Day until the Time of every such Payment of Part of the Principal respectively, then, after every such Payment so made, so much of the said yearly Sum of 500,000 *l.* as shall bear Proportion to the Monies so paid in Part of the Principal, shall determine and be abated.

XXXII.

XXXII. *Seff.* 22. After Redemption of all the said yearly Sums of 500,000 *l.* 8000 *l.* and the Annuities at 5 *l.* per Cent. by Payments according to the several Proviso's in this Act, then the said Duties, &c. and all proportional Parts of them, shall be understood to be redeem'd by Parliament, and shall not be apply'd to any other Purpose without Authority of Parliament: Nevertheless the said Corporation shall continue for ever, by the Name aforesaid, and have perpetual Succession, and enjoy all the Forts, Factories and Acquisitions they have erected, established or made, or shall erect, &c. within the Limits prescribed by their Charter, and the Lands, &c. that they have or shall purchase in *Great Britain*, not exceeding 1000 *l.* per Annum: And the said Company after such Redemption made, shall be entitled to the sole Benefit of Trade to the *South-Seas*, and elsewhere, and such Power of Trade in the Fishery, as by any Acts now in Force is directed, and to all other Benefits, &c. (the respective Annuities to them payable only excepted) as if no such Redemption were made.

XXXIII. *Seff.* 23. All the Abilities, Capacities, Powers, Authorities, Exemptions, Franchises, Privileges, Profits and Advantages, and all Pains of Death, Penalties, Forfeitures and Disabilities, and all Rules, Directions, Methods, Articles, Matters and Things whatsoever, which by any former Act, or any Charter under the Great Seal, are enacted or granted, to or concerning the said Company, (being in Force at the making of this Act, and not hereby determined or altered) shall continue for ever, and be put in Execution for securing the yearly Fund, Annuities and Payments by this Act directed; and also, (as well after such Redemption as before) for securing the Possession, Trade and Business of the said Corporation, and for their Advantage in all Respects, as fully and effectually, to all Intents and Purposes, as if the said Abilities, &c. were severally repeated, and re-enacted in this Act.

XXXIV. *Seff.* 24. All such Transfers or Assignments of Stock in the Company's Books, as are not by this Act wholly exempted from the Stamp-Duties, shall not hereafter be liable to any higher Duties than are now payable for the same.

XXXV. *Seff.* 25. Any Vote or Resolution of the House of Commons, signify'd by their Speaker in Writing, to be deliver'd at the publick Office of the *South-Sea* Company, shall be deemed a sufficient Notice within the Meaning of this Act, for redeeming their said yearly Funds or Annuities, pursuant to the Proviso of Redemption in this Act contained, and at the respective Times herein mentioned.

XXXVI. Stat. 5 G. c. 19. *Seff.* 1. Reciting the Act 8 A. c. 4. For continuing Part of the Duties on Coals, Culm and Cynders,

and granting new Duties upon Houses, having twenty Windows, or more, &c. And that whereas the Sum of 1,500,000 *l.* was contributed on the said Act, and the Annuities payable out of the said Fund by Virtue thereof, amount to the Sum of 32,625 *l.* per Annum, payable Half-yearly at Lady-day and Michaelmas, in respect of the fortunate Tickets, and to the Sum of 102,373 *l.* 12 *s.* per Annum, payable at Michaelmas yearly, in Respect of the Tickets that did not prove fortunate: And whereas Pay-Tickets, directed by the said Act have been made forth for Payment of the said Annuities; and all the Annuities payable out of the said Fund are satisfy'd till Michaelmas, 1717, and no farther; and the Sum of 168,748 *l.* 5 *s.* is in Arrear thereon, by computing the same Annuities for one Year and a Quarter, from Michaelmas, 1717, to Christmas, 1718. And whereas the Capital Stock of the South-Sea Company amounts to ten Millions, in Respect whereof a yearly Fund of 500,000 *l.* is payable to them, after the Rate of 5 *l.* per Cent. per Annum, besides a yearly Sum of 8000 *l.* for the Charges of Management, but subject to the Provifoes of Redemption in the Act 3 G. c. 9. for Redeeming the yearly Fund of the South-Sea Company, &c. being then after the Rate of 6 *l.* per Cent. per Annum, and settling on them a yearly Fund after the Rate of 5 *l.* per Cent. per Annum: And whereas the said Company is willing to permit all Persons, who, before the 20th of June, 1719, shall be Proprietors of the said Lottery-Annuities for the Residue of the said Term of thirty-two Years, to subscribe their Right and Interest in their said Pay-Tickets for the same, into Books to be provided as by this Act is directed, at the Rate of eleven Years Purchase and a Half; so that each Person so subscribing, for every 20 *s.* per Annum so subscribed, shall be entitled to 11 *l.* 10 *s.* in the Capital Stock of the said Company, and proportionably for any greater or lesser Annuities which shall be so subscribed; and the said Company is also willing to permit any Persons who, before the said 20th of June, 1719, shall be Proprietors of the said Sum of 168,748 *l.* 5 *s.* to subscribe the same into the said Books; so that every such Subscriber for any Sum so subscribed in Part thereof, shall be entitled to the like Sum in the said encreas'd Capital Stock of the Company: And in Order to raise Money towards discharging the Principal and Interest of such national Debts as were incurred before the 25th of December, 1716, the said Corporation is also willing to advance the Sum of 778,750 *l.* at such Times, by such Proportions, and subject to such Deductions, as are hereafter by this Act allowed: To these Purposes, and that suitable Encouragement may be given to the said Company; it is enacted, That all such Impositions, Rates and Duties, upon Coals, Culm and Cynders, and on every Dwelling-house inhabited, that now is, or shall be built in Great Britain, having twenty Win-

Windows, or more, as were granted by the said Act 8 A. c. 4. for the Term of Years therein mentioned, shall continue, and be paid to his Majesty, &c. for ever, for the Purposes in this Act directed, and shall be raised, paid, &c. in the same Manner, at such Places, by such Rules, &c. and under such Penalties, &c. as are mentioned in the said Act of 8 A. And all the Powers, Penalties, &c. contained in the said Act, and now in Force, shall be for ever continued and put in Execution for raising, &c. the said several Impositions, &c. by this Act intended to be made perpetual, in the same Manner, and as fully and effectually, as if the said Powers, &c. were at large set down, and re-enacted in this Act. Nevertheless the said several Impositions, &c. and Sums of Money by this Act intended to be made perpetual, as aforesaid, shall be subject to such Proviso's and Powers of Redemption, as in this Act are contain'd.

XXXVII. *Sett.* 2. All the Monies arising of the said Impositions, &c. hereby intended to be made perpetual, (except the necessary Charges of raising, &c. the same) shall be brought into the Exchequer for the Uses in this Act; and shall be enter'd in Books to be kept in the Offices of the Auditor of the Receipt and Clerk of the Pells, severally, to which all Persons concerned shall have Access without Fee.

XXXVIII. *Sett.* 3. All the Monies which, after *Christmas*, 1718, shall be brought into the Exchequer, or then remaining there, of the said several Impositions, &c. by this or the said Act of 8 A. granted or continued as aforesaid, (except the necessary Charges of issuing and applying the same to the Purposes by this Act directed, and rendering the Accompts thereof, and after paying or reserving sufficient to pay all Arrears of the said Pay-Tickets, due at *Michaelmas*, 1717,) shall be appropriated, issued and apply'd for Satisfaction of the respective Payments by this Act directed, in their due Order, and with such Preferences, and subject to such Redemptions as are hereby prescribed, without any Fee or Charge to be demanded or taken of the Persons or Corporations who are to receive the same: And the respective Officers of the Exchequer, who shall delay to issue or pay the same, or shall divert or misapply any of the said Monies, contrary to this Act, shall be forejudged from their Offices, be render'd incapable to serve his Majesty, &c. in any Office of Trust or Profit, and liable to pay double the Value of any Money so delay'd, &c. to the Party griev'd; to be recover'd by Action of Debt, &c. in any Court at *Windsor*, wherein no Essoin, &c. or more than one Imparllance shall be allow'd.

XXXIX. *Sett.* 4. The Commissioners of the Treasury, &c. shall appoint such and so many able and fit Persons as they shall think proper, to be Managers or Directors, for preparing

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Books, for overseeing the Subscriptions to be taken therein, for taking in Tickets, and for doing such other Matters and Things as are by this Act directed by such Managers to be done: And the Managers shall, according to such Directions as they shall receive from the Treasury, prepare and open Books at some publick Office (whereof Notice shall be given in Writing to be affixed at the *Royal Exchange*, and to be inserted in the *London Gazette*) for taking such Subscriptions, and for receiving in the Pay-Tickets, pursuant to this Act.

XL. *Señ. 5.* The said Books shall constantly lie open at all seasonable Hours; and the Proprietors of the Lottery Annuities and Tickets, or such Persons as they shall entrust to subscribe for them, shall have free Access thereto, and have Liberty to make their Subscriptions without Fee or Charge: And the Managers, or any three of them, shall constantly attend and oversee the making the Subscriptions; till the 20th of June, 1719, unless the Subscriptions for all the said Lottery Annuities and Tickets be sooner compleated.

XLI. *Señ. 6.* The Proprietors of the said Lottery-Annuities, who shall be willing to accept in Lieu thereof, Shares to be computed at the Rate of eleven Years and a Half's Purchase, in the Capital Stock of the said Company, when encreas'd according to the Purport of this Act; and the Proprietors of the Arrears, computed for the Year and a Quarter, ending at *Christmas*, 1718, amounting to 168,748 l. 5 s. as aforesaid, who shall be likewise willing to accept in Lieu thereof, Shares in the said encreas'd Stock, may, by themselves, or such as they shall entrust, subscribe such Annuities and Arrears, or any Part thereof, under a proper Preface, in the Books to be prepared for that Purpose, by subscribing their Names and Places of Abode, with other proper Additions, within the Time before limited.

XLII. *Señ. 7.* All Executors, Administrators, Guardians and Trustees, may make, or cause to be made, Subscriptions in the said Books, for the respective Testators, Intestates, Infants, Minors, Females covert, and others, for whom they are entrusted; and shall be indemnified for so doing.

XLIII. *Señ. 8.* Every Subscriber shall write his Name, and (if the Subscription be made for others, then) the Names of the Persons for whom the same shall be made, on the Backside of the Pay-Tickets for the Annuities or Arrears so subscribed respectively; and the Pay-Tickets so endorsed shall be deliver'd up to such Persons as the Treasury shall appoint to receive the same; and the Persons so appointed shall give the Subscribers a Receipt, specifying the Names of the Persons by or for whom such Subscriptions shall be made, the Numbers and Times of Payment expressed in the Pay-Tickets so deliver'd up, and the Annuity or Arrearage so subscribed,

and shall enter the same in a Book to be kept by them for that Purpose.

XLIV. *Stat.* 9. For avoiding all Disputes, those who produce the Pay-Tickets for such Annuity or Arrearage, or those for whom the same shall be produced, shall be deemed to be the true Owners thereof.

XLV. *Stat.* 10. Any three of the Managers shall, by the 31st of December, 1719, cause a Duplicate of the said Books, and of all the Subscriptions therein, (such Duplicate being first attested by any three or more of the said Managers) to be deliver'd to the Auditor of the Receipt of the Exchequer, to remain in his Office for ever; and the said Managers shall by the said 31st of December, deliver the said Books, with all the Subscriptions therein, (such Books being first attested under the Hands of three or more of the said Managers) to the Court of Directors, to remain in the Possession of the said Company for ever: And the Persons to be appointed for taking in the Tickets, shall, by the said 31st of December, 1719, deliver to the said Auditor of the Receipt, to remain in his Office for ever, all the Pay-Tickets endorsed, with an exact Duplicate signed by them, of the said Books, wherein shall be specified the Names of the Persons by or for whom such Subscriptions shall be made, the Number and Times of Payment expressed in the Pay-Tickets so deliver'd up, with the Annuity or Arrearage so subscribed, that it may be known what Annuities or Arrearages are subscribed, and at what Times the same would have been payable, if they were not subscribed, by Virtue of the said Act of 8 A. c. 4. And the Treasury shall, by the 25th of March, 1720, cause the proper Officers to transmit attested Lists to the Cashier of the said Company, of all such Lottery Annuities and Arrearages, for which no Subscription shall be made within the Time before limited, that it may be known which of the said Annuities, &c. are not subscribed, and at what Time they will become payable by Virtue of the said Act of 8 A.

XLVI. *Stat.* 11. All Persons, by or for whom such Subscriptions shall be made, and for which the Pay-Tickets shall be deliver'd up as aforesaid, their Executors, &c. shall have and enjoy, of or in the said encreas'd capital or joint Stock of the Company, the respective Shares following, *viz.* For the Term of twenty-three Years and three Quarters, so subscribed, of and in every such Annuity, a Share to be computed after the Rate of eleven Years and a Half, amounting to 11 L. 10 s. for every 20 s. *per Annum*, and proportionably for greater or lesser Annuities: And for every Sum so subscribed as Part of the said Sum of 168,748 L. 5 s. in Arrear as aforesaid, a Share equal to the Amount of the Sum so subscribed; and in Respect of such Shares shall be deemed Members of the said Corporation, and be

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be incorporated into the same; and in Proportion to their Shares shall be entitled to the like Benefits, &c. as the other Members enjoy, (except as herein after is excepted).

XLVII. *Señ. 12.* The said Corporation shall advance into the Exchequer, towards discharging the national Debts and Incumbrances, the full Sum of 778,750*l.* or so much thereof as shall remain after such Deductions and Abatements as are by this Act allowed to be made from the same, by the Proportions, and at the Times following, *viz.* One full Moiety thereof on or before the 30th of *July*, 1719, one full fourth Part on or before the 30th of *October*, 1719, and the remaining fourth Part by the 31st of *January*, 1719.

XLVIII. *Señ. 13.* If all the said Annuities and Arrearages be not subscribed before the 20th of *June*, 1719, then the said Corporation shall advance into the Exchequer so much of the said Sum of 778,750*l.* as shall bear Proportion to the Lottery-Annuities and Arrearages so to be subscribed, at the Rates aforesaid, and no more; that is to say, as the Sum of 1,721,250*l.* being the computed Value of the said Lottery-Annuities and Arrearages, is to the said Sum of 778,750*l.* so the Value of the said Lottery-Annuities and Arrearages, being computed at the Rates aforesaid, shall be to the Sum which the said Corporation shall advance towards paying off the national Debts and Incumbrances: And such of the said Lottery-Annuities and Arrearages as shall not be subscribed as aforesaid by the 20th of *June*, 1719, shall be paid out of the Produce of the said Duties, at such Times, and in such Manner and Course of Payment, as they ought to have been if this Act had not been made.

XLIX. *Señ. 14.* Out of the first Monies of the said Sum of 778,750*l.* or of the proportional Part thereof, which shall be payable by the said Company into the Exchequer pursuant to this Act, the Sum of 37,500*l.* or so much thereof as shall bear Proportion to the Value of the Lottery-Annuities and Arrearages which shall be actually subscribed, shall be deducted for the sole Use of the Company; as well the present Members as those to be incorporated into the same by Virtue of this Act.

L. *Señ. 15.* Out of the first Payment of the said Sum of 778,750*l.* or of the said proportional Part thereof, to be paid by Advance into the Exchequer as aforesaid, so much as on the 24th of *June*, 1719, shall be deficient to make good the Sums then due, on the said yearly Fund of 300,000*l.* and on the said yearly Sum of 8000*l.* mentioned in the said Act 3 G. 9. and on the additional yearly Fund and yearly Sum by this Act intended to be paid to the said Company, or such Part of such Deficiencies as shall bear Proportion to the Value of the Lottery-Annuities and Arrearages which shall be actually subscribed as aforesaid, shall be deducted and recouped towards

making good the said Deficiencies of the said yearly Funds and Sums so growing due before the 24th of *June*, 1719, and out of each subsequent Payment of the said Sum of 778,750*l.* or of the said proportional Part thereof, to be advanced into the Exchequer as aforesaid, so much as at the Quarter-Day, next preceding the Times limited for making those subsequent Payments, shall be deficient to make good the Sums then grown due, of the yearly Funds and Sums, by this and the said former Act payable to the said Corporation, such Part of the same Deficiencies as shall bear Proportion to the Lottery-Annuities and Arrearages which shall be actually subscribed as aforesaid, shall be deducted and recouped, towards making good the said Deficiencies so growing due at the Quarter-Day next preceding the respective Times by this Act prescribed for making each subsequent Payment by the said Corporation, as aforesaid.

LI. *Sec.* 16. If the said Corporation make Failure in Payment of the said Sum of 778,750*l.* or of the said proportional Part thereof, at the Times limited for Payment thereof, having such Deductions, &c. as by this Act are prescribed; then the Money whereof such Failure shall be made, may be recover'd in his Majesty's Name, by Action of Debt, &c. in any of the Courts at *Westminster*, wherein no Effoin, &c. or more than one Imparance shall be allow'd: In which Action, &c. it shall be lawful to declare, That the said Governor and Company, &c. are indebted to his Majesty, the Money of which they have made Default in Payment, according to the Form of this Statute, and have not paid the same; which shall be sufficient; and in such Action, &c. there shall be recovered against the Defendants, Damage after the Rate of 10*l.* per Cent. for the Monies so unpaid; and the said Corporation and their Stock and Funds are made liable thereto.

LII. *Sec.* 17. The Value of the said Lottery-Annuities, or so many of them as shall be actually subscribed, computed at eleven Years and a Half's Purchase, for the said Term of twenty-three Years and three Quarters; and the said Arrearages for one Year and a Quarter, or so much as shall be subscribed; and also the said Sum to be advanced by the Corporation (including the Deductions by this Act allow'd to be made out of the same) shall be deemed an additional Stock of the said Corporation, and be united to their present Capital Stock of ten Millions; and the Commissioners of the Treasury, &c. shall cause the Sum Total of the said additional Stock to be computed and adjusted, and declare and determine the same, by an Instrument under their Hands and Seals, to be enter'd in the proper Books of the said Corporation: And every Member thereof shall, after the 25th of *December*, 1718, have Credit

Credit in the Books of the said Corporation, for his Proportion in the whole Capital Stock, so encreas'd, and in all the Dividends and Advantages attending the same, except as herein after is otherwise provided.

LIII. *Seff.* 18. The Company shall have and enjoy for the said additional Stock to be computed and determined as aforesaid, an Annuity or Fund after the Rate of 5 *l. per Cent. per Annum*, which is hereby enacted to be united with their present Annuity or Fund of 500,000 *l. per Annum*; and the said yearly Funds so united shall be the encreased yearly Fund of the said Company.

LIV. *Seff.* 19. The said Annuity for the said Additional Stock shall commence from *Christmas*, 1718, and have Relation from that Time in Point of Payment, when the same shall be adjusted as aforesaid; and so much thereof as shall be payable to the Company for the said Sum of 778,750 *l.* or the proportional Part thereof, which shall be actually advanc'd by them, (including the Deductions as aforesaid) shall be accounted due to the Company, and be paid to them or their Cashier, at the four most usual Feasts in the Year, by equal Portions, or within twenty Days after every of the said Feasts, till redeemed by Parliament; the first of the said quarterly Payments to become due at *Lady-day*, 1719. And so much of the said additional Fund as shall be payable to the said Company in Respect of the Lottery-Annuities, and the Arrearages thereof, which shall be subscribed as aforesaid, shall be accounted due, and be paid to them or their Cashier, for their Use, at such Times and by such Proportions at a Time, and in such Manner, as the Pay-Tickets ought to have been paid out of the above-mentioned Fund of 135,000 *l. per Annum*, if the Payment thereof had continued on the Foot of the said former Act. And the said Corporation shall have and enjoy, towards the Charge of Management of their Affairs, an additional yearly Sum of 2000 *l.* or a Sum bearing the same Proportion to 2000 *l. per Annum*, as the additional Stock of the said Corporation, when adjusted pursuant to this Act, shall bear to 2,500,000 *l.* without being liable to render Account of the said Charges; which yearly Sum of 2000 *l.* or such lesser proportional Sum, shall be united to the present yearly Sum of 8000 *l.* allowed to the Company for such Charges.

LV. *Seff.* 20. The said additional Sum of 2000 *l. per Annum*, or such lesser proportional Sum, for Charges of Management, shall commence from *Christmas*, 1718, and have Relation from that Time in Point of Payment, when the same shall be adjusted as aforesaid, and shall be payable to the Company or their Cashier, for their Use, quarterly, or within twenty Days after every of the usual Feast-Days, till Redemption by Parliament.

LVI. *Stat.* 21. The said additional yearly Fund, and the said yearly Sum of 2000 *l. per Annum*, or such lesser proportional Sum, shall be chargeable on the Monies arising at the Exchequer of the said Duties on Coals, &c. and Houses, at such Times, and in such Course and Form, as are herein before prescribed.

LVII. *Stat.* 22. So much of the above-mentioned Fund of 135,000 *l. per Annum*, as by the Act 8 *A. c. 4.* is applicable to the Payment of such of the said Lottery-Annuities and Arrearages thereof, as shall not be subscribed into the Stock of the said Company before the 20th of June, 1719, shall be apply'd for Payment of such unsubscribed Lottery-Annuities, and the Arrearages thereof, for the Residue of the said Term of thirty-two Years, and of the Pay-Tickets for the same, as fully and effectually, as such Part of the said yearly Fund of 135,000 *l.* ought to have been, if this Act had not been made: And the Commissioners of the Treasury, &c. are required to issue their Warrants or Orders, for Payment, as well of the Monies payable to the said Corporation, as of the Money which ought to be issued for discharging the unsubscribed Tickets.

LVIII. *Stat.* 23. If at any Time, after the 25th of December, 1719, the Produce of all the Duties and Revenues by the said Act of 3 *G. c. 9.* and the Proportion of the Duties, &c. by the said Act of 8 *A. c. 4.* granted and continued, and by the said Acts, or this, or any of them, appropriated for Payment of the whole united yearly Fund and yearly Sums, intended by this and the said Act of 3 *G. c. 9.* to be paid to the said Company, shall be so low and deficient as not to discharge the Payments at the End of any Quarter, of all the Monies then due to the said Corporation, then the Deficiency of any such Quarter shall be supply'd out of the Overplus Monies of the said Duties and Revenues, arising in any subsequent Quarter; and in Default thereof for Half a Year, then every such Deficiency shall be made good out of the General yearly Fund by the said other Act of 3 *G.* establish'd, or out of the Money to be raised at the Exchequer for purchasing Annuities at 5 *l. per Cent. per Annum*, for every such Deficiency; which Annuities shall be charged on the said General yearly Fund, and be payable and transferrable at the Bank of England, as other Annuities payable out of the said General Fund, are by the said other Act of 3 *G.* intended to be, till Redemption thereof by Parliament: And if at any Time such Deficiency shall be paid to the said Corporation by such Annuities charged on the General Fund, the Discount thereof which shall be necessary for converting the same into ready Money, shall, by Order of the Treasury, be satisfied to the said Corporation out of the same General Fund.

Fund, or out of Money to be raised at the Exchequer for purchasing a like Annuity at the same Rate, to be charged on the same General Fund, and to be payable and transferrable, as aforesaid, till Redemption by Parliament. And the Treasury are required to sign and issue Orders for Payment of all such Sums of Money as by this or the last mentioned Act are or shall become due to the said Corporation; and also for raising out of the said General Fund, so much as shall be requisite to pay the said Corporation all such Deficiencies as are by this Act directed to be paid them; and such Orders shall be good and effectual in the Law, and not be determinable by the Death or Removal of any Commissioner of the Treasury, &c. nor shall any such Commissioner, &c. have Power to revoke or make void such Orders.

LIX. *Sec. 24.* If at any Time the Produce of the said Duties on Coals, Culm, Cynders, and Houses, shall be so low and deficient, as that at the End of any Year (reckoning the same to end at *Michaelmas* yearly) the Proportion of the said yearly Fund of 135,000 *l.* applicable by this Act for discharging the unsubscribed Pay-Tickets then payable, shall not be sufficient for that Purpose, then every such Deficiency shall be made good out of the first Aid to be granted in Parliament, and shall be transferred thereto as soon as granted.

LX. *Sec. 25.* In Case there be any Surplus of the Moneys arising by the said Duties on Coals, &c. at the End of any Year, (reckoning the same to end at *Michaelmas* yearly) after all the said yearly and other Sums directed by this Act, and then or before that Time become due or in Arrear, shall be fully satisfied, or Money sufficient reserved for that Purpose, such Surplus shall be reserved for the Use of the Publick, and not be disposed but by Authority of Parliament.

LXI. *Sec. 26.* The Share and Interest of every Member of the said Corporation, in the present Capital Stock, and in the Encrease of such Capital, and in the said Annuities at 5 *l. per Cent. per Annum*, and in the said 8000 *l.* and 2000 *l. per Annum*, or a proportionable Part of the said 2000 *l. per Annum*, shall be adjudg'd a Personal Estate, and shall go to the Executors or Administrators of Persons dying possessed thereof, and not to their Heirs: And the Members who shall have Shares in the present or encreased Capital Stock of the said Company, as well in Respect of the said Lottery-Annuities and Arrears thereof, to be subscribed as aforesaid, as in Respect of the said Sum of 778,750 *l.* or such proportionat Part thereof as shall be paid by the said Corporation into the Exchequer (including such Deductions, &c. as aforesaid) may assign and transfer such Shares, or any Part thereof, in the Books of the Company, in the Manner, &c. prescribed by the Acts of Parliament and Charter now in Force, for Assignments and Transfers of the

Original Stock; and may dispose or devise the same by Will as any Share in the Company's Original Stock is devisable.

LXII. *Self.* 27. The several annual and other Sums payable to the said Company, by Virtue of this and the said former Act of 3 G. c. 9. and the Shares of the Members in the same, and in the present and encreas'd Capital Stock, and in the Benefit of Trade annexed thereto, and the Stock in Trade or Money to be raised for that Purpose, shall be exempted from all Taxes, &c. by Act of Parliament, or otherwise: And no Member of the said Company, in respect of his having any Share therein, or by Reason of his acting as a Manager, Director, or otherwise, for taking the said Subscriptions, or for any other Thing to be done by him in Pursuance of this Act only, shall be disabled from being a Member of Parliament, nor be liable to any Penalty, &c. prescribed by any other Acts, for not qualifying himself to execute his Trust in Pursuance of this Act, as Persons who shall take any Office of Profit or Trust, are liable to by any Laws now in Force; and all such Persons may be Subscribers to the said encreas'd Stock: Nor shall he be liable to be a Bankrupt, within the Intent of any of the Statutes made against Bankrupts; and no Stock in the said Company shall be liable to Foreign Attachments.

LXIII. *Self.* 28. The Transfers or Assignments of the present Capital or of the encreas'd Stock, shall not be liable to any higher or greater Stamp or other Duties, than are now payable for the same.

LXIV. *Self.* 29. All Bonds under the common Seal of the Company shall charge as well the annual and additional Fund, payable to the Company by Virtue of this Act, as their present and additional Stock, and their other Effects and Estates: And all such Bonds shall be assignable, and the Monies thereon recoverable as effectually and in as ample Manner, as any their Bonds taken on the said former Act might be assign'd, or the Money thereon be recover'd.

LXV. *Self.* 30. All Contracts, Bills, Bonds, &c. under the common Seal of the Corporation, shall not be chargeable with any Stamp-Duties.

LXVI. *Self.* 31. The said Company shall continue one Body Corporate and Politick, by the Name of the Governor, &c. and shall have and enjoy the said yearly Fund of 500,000 *l.* and the said additional yearly Fund after the Rate of 5 *l.* *per Cent. per Annum*, to be added thereto, by Way of Encrease, as aforesaid; and the said yearly Sums of 8000 *l.* and 2000 *l.* pursuant to this Act, till the said Funds and yearly Sums be redeemed according to this Act; and shall hold and enjoy all their Forts, Factories, Lands, &c. sole Benefit of Trade to the *South-Seas*, and elsewhere, with a perpetual Succession, and all Abilities, Capacities, Powers, Privileges, Profits, &c. to which

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which the Company are, or before the making this Act were entitled, by any Act or Charter now in Force, (all which are hereby ratified, and confirmed to them and their Successors) freed and discharg'd of all former Provisoos, Powers, &c. for redeeming or making void the same; but subject to the respective Powers of Redemption in this Act contain'd.

LXVII. *Self.* 32. On one Year's Notice to be given by Parliament, at the Feast of *St. John Baptist*, 1723, or at any of the quarterly Feast-Days after, and on Repayment by Parliament of the whole Sum whereof the Company's Capital Stock of ten Millions, with the Stock to be added by Way of Encrease, shall then consist, according to such Notice, without Deduction; and on Payment of all Arrears of the said yearly Fund of 500,000 *l.* and of the said additional yearly Fund at the Rate of 5 *l. per Cent. per Annum*, and of the said yearly Sum of 8000 *l.* and the said yearly Annuity of 2000 *l.* or such proportional Part thereof, as aforesaid, for Management, to be added thereto pursuant to this Act; then the said yearly Fund of 500,000 *l.* and the said additional yearly Fund at 5 *l. per Cent. per Annum*; and the said Sum of 8000 *l.* and the said yearly Annuity to be added for Management, shall cease and determine.

LXVIII. *Self.* 33. If at any Time after the 24th of *June*, 1723, Notice shall be given by Parliament for Redemption of the said yearly Fund of 500,000 *l.* and the yearly Fund to be added thereto as aforesaid, and the said yearly Sum of 8000 *l.* and the said additional Annuity; and if Payment according to such Notice be made by Parliament to the said Company, of any Sum, (not less than one Million at a Time) in Part of the Principal Monies whereto the said Sum of ten Millions, and the Stock to be added thereto as aforesaid, shall jointly amount; and if Payment be also made of all Arrears of the said encreas'd yearly Fund and Sum, or so much of those Arrears as shall bear a Proportion to the Principal Moneys from Time to Time remaining unsatisfied, being computed by the Day till the Time of every such Payment of Part of the Principal respectively, then, after such Payment, so much of the encreas'd yearly Fund, as shall bear Proportion to the Monies so paid in Part of the Principal, shall cease and be abated.

LXIX. *Self.* 34. After Redemption of all the said yearly Funds and Sums, by Payments to be made according to the respective Provisoos of Redemption in this Act contain'd, then the several Duties, &c. and all proportional Parts thereof, chargeable therewith, shall be understood to be redeemed by Parliament, and shall not be issued or apply'd to any Use, without Authority of Parliament: Nevertheless the said Corporation shall continue for ever, and enjoy all their Forts, &c.

and

and all the Lands, &c. that are or shall be by them purchased in Great Britain, not exceeding 1000 *l. per Annum*, and all Abilites, &c. except the said respective Annuities to them payable, after such Redemption, as aforesaid.

LXX. *Sett.* 35. All the Abilities, &c. and all Pains of Death, &c. and all Rules, Matters and Things, which by any former Acts of Parliament, or any Clauses therein, or by any Charters under the Great Seal, are enacted or granted, to or concerning the said Corporation, (being in Force at the making of this Act, and not hereby altered or determined) shall continue for ever, and be put in Execution, for securing and paying the yearly Funds, Annuities and Payments by this Act directed, subject to the Provisoes for Redemption thereof in this Act contained, and also, (as well after such Redemption as before) for securing the Possessions, Trade and Business of the said Corporation, and for their Advantage in all Respects, as fully and effectually, as if the said Abilities, &c. and the said Pains of Death, &c. and the said Benefit of Trade, &c. were severally repeated and re-enacted in this Act.

LXXI. *Sett.* 36. Any Vote or Resolution of the House of Commons, signify'd by their Speaker in Writing, to be deliver'd at the publick Office of the said Company, shall be deemed sufficient Notice within the Meaning of this Act, for redeeming the said yearly Funds or Annuities, pursuant to the Proviso of Redemption herein contain'd, and at the respective Times therein mentioned.

LXXII. *Sett.* 37. It shall be lawful for the said Company in a General Court to declare, how and in what Manner the Proportion of the intended to be encreas'd Stock, which the Company shall be entitled unto in Respect of the said Sum of 778,750 *l.* or of the proportional Part thereof, which shall be actually paid into the Exchequer pursuant to this Act, (including such Deductions and Recoupments as hereby are directed to be made) shall be disposed of, either on Account of the Proprietors of the present Capital Stock, or of the whole encreas'd Capital Stock of the said Corporation, as their General Court shall think fit, in Proportion to their respective Shares therein.

LXXIII. *Sett.* 38. And whereas several Proprietors of the said Pay-Tickets may have sold or disposed of their Interest in one, two, or three Years succeeding Payments, Part of those comprehended in the said Term of twenty-three Years and three Quarters, or of the said one Year and a Quarter's Arrear, such Proprietors having all the other Pay-Tickets for the Residue of the said Terms, may subscribe the whole Term in the Annuities, and all the Pay-Tickets for the same, paying the Persons appointed to take in those Tickets the full Amount of those

those sold or disposed of; which Persons shall pay the same into the Exchequer, in Trust, to satisfy such Persons as shall have a Right to, or be in Possession of such Pay-Tickets, when they shall become due, and delivering up the Rest of the Pay-Tickets for the Term so subscribed for.

LXXIV. *Sett.* 39. Where it shall appear by Affidavit made before any of the Barons of the Exchequer, that any Pay-Ticket made forth in Pursuance of the Act of 8 A. c. 4. hath, before the 10th of June, 1719, by Casualty or Mischance, been lost, burnt, or otherwise destroy'd, it shall be lawful for the Commissioner of the Transfer-Office, appointed pursuant to the said Act of 8 A. and for the Pay-master of such Tickets, or either of them, on producing a Certificate from any of the said Barons, of such Affidavit made before him, (which Affidavit he is empower'd to take, and which Certificate he is required to give without Fee) and on Security given to the good Liking of such Commissioner and Pay-master, to indemnify his Majesty and all other Persons, concerning the Monies due on such Tickets, to make forth Duplicates of the Tickets so lost, &c. at the Request of the Owners thereof; and those Duplicates shall be of the like Validity as the original Tickets would have been, and may be subscribed into the said encreased Stock as aforesaid.

LXXV. *Sett.* 40. Out of the Monies which shall arise at the Exchequer for Payment of Debts and Incumbrances incurred before Christmas, 1716, the Treasury may reward the Managers to be appointed for taking the said Subscriptions, and the Clerks and Officers under them, and the Persons to be employed for taking in the said Tickets, and all other Officers any Ways employ'd in this Affair, for their Labour and Service therein; and discharge all incident Expences necessarily attending the Execution of this Act, in such Manner as they shall find reasonable in that Behalf.

LXXVI. *Sett.* 41. If all the Pay-Tickets, and the Arrears thereof, shall be subscribed within the Time limited by this Act, then the Monies of the Duties applicable to the Payment thereof, shall be issued weekly to the said Corporation, or to their Cashier for their Use; so as the Sum Total of the Money due to them at the End of any Quarter of a Year be not exceeded.

LXXVII. *Sett.* 42. A Clause of Appropriation of all the Money granted this Session. See Taxes, Par. XLIX.

LXXVIII. *Sett.* 43. Provided, That such Sums as shall be due to the Commissioners for taking and stating the Debts due to the Army, or to the Commissioners for stating the Equivalent due to Scotland, for their Salaries, or for their Clerks, or other incident Charges, shall be paid out of the Aids aforesaid.

LXXIX.

LXXIX. Sect. 44. *The same Rules to be observed in the Application of the Money by this Act appropriated on Account of Half-Pay, as are prescribed by the Act 4 G. c. 3. Sect. 18. which see in Tit. Half-Pay Officers.*

LXXX. Sect. 45. The Treasury may issue and apply such Part of the Monies hereby appropriated, as shall be necessary for the Encrease of the Expence to arise from such Augmentation as his Majesty hath or shall think fit to make, of his Forces by Sea or Land, to disappoint the Designs of his Enemies both at Home and Abroad.

LXXXI. Sect. 46. The Treasury may apply all or any Part of the Monies, which shall be advanced by the South-Sea Company into the Exchequer (for paying such Debts and Incumbrances as aforesaid) for any the publick Services for which Provision is made by this Act, so as they take effectual Care, that such Sums as shall be equal to the Sums of the said Advance-Money, be reserv'd and kept apart, to be apply'd towards discharging the national Debts and Incumbrances, according to such Acts of Parliament as shall hereafter be made in that Behalf.

LXXXII. Sect. 47. So much of the Sum of 94,000 *l.* (granted by the Act of 4 G. c. 3. to Half-Pay Officers) as is more than sufficient to satisfy the said Officers, or any Part of such Overplus, may be disposed of to such Officers who were maim'd or lost their Limbs in the late Wars, or to such others as, by Reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity, who are not qualify'd by the Rules prescribed in the said Act to receive the same; or to the Widows or Children of such Officers, according to such Warrants under his Majesty's Sign Manual as shall be signed in that Behalf.

See the last Section of this Act in Title CARDS and DICE.

Starch.

I. Stat. 1 G. Stat. 1. c. 2. Sect. 6. If the Charge on Starch be made by Gauging before it be dried in the Stove, then every Box of Green Starch, or Starch before it be so dried, containing fifty-seven Inches in Length, ten Inches in Breadth, and eight Inches in Depth, or in the Whole 4560 solid Inches shall be esteemed 131 Averdupoize Pounds Weight of Starch, dried and perfectly made, and shall be charged accordingly; and proportionably for greater or lesser Quantities.

II. Stat. 3 G. c. 4. Sect. 13. All Hair-Powder made of Starch, or other Powder that will serve for the same Uses as Starch,

Starch, shall, on the Importation thereof, after the 1st of May, 1717, be subject to the same or like Duties, as foreign Starch imported is liable to; and such Powder so imported, shall be entitled to the like Drawback on Exportation, and be collected with such Allowances, and under such Penalties, and in such Manner, as is directed by the Laws now in Force, relating to his Majesty's Duties on Starch.

Suits.

I. Stat. 1 G. c. 39. Enacted, That all personal Actions and Suits, and all Molestations and Prosecutions whatsoever, and Judgments thereupon, for or by Reason of any Matter or Thing advised, commanded, appointed, or done in the Year, 1715, in Order to suppress the unnatural Rebellion, which began in or about the Months of September or October in that Year, or for the Preservation of the publick Peace, or for the Service or Safety of the Government, shall be discharg'd and made void by Vertue of this Act: And if any Action or Suit hereby discharged, or intended so to be, shall be commenced or prosecuted, every Person so sued may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff become nonsuit, forbear Prosecution, suffer Continuance, or a Verdict pass against him, the Defendant shall recover double Costs, for which he shall have the like Remedy, as in Cases where Costs by Law are given to Defendants.

Taxes.

I. Stat. 1 G. Stat. 1. c. 2. An Act for rectifying Mistakes in the Names of the Commissioners for the Land-Tax for the Year 1714; and for raising so much as is wanting to make up the Sum of 1,400,000 l. intended to be raised by a Lottery for the publick Service in the said Year. Vide Lotteries, Par. I.

II. Stat. 1 G. c. 1. An Act for granting an Aid to his Majesty to be raised by a Land-Tax in Great Britain, for the Service of the Year 1715. Sect. 1.

By this Act the Sum of 11,020,588 l. 16 s. 6 d. ob. shall be raised in Great Britain; whereof 996,611 l. 15 s. 11 d. ob. Part of the said Sum, shall be raised in one Year, from the 25th of March, 1715, in the several Counties, &c. of England, &c.

at

at 2 s. in the Pound on Personal Estates, and 2 s. on Lands at a Pound-Rate; and 23,977 l. 7 d. Residue of the said Sum of 1,020,588 l. 16 s. 6 d. to be raised in Scotland by an eight Months Cess of 997 l. 2 s. 6 d. and seven eighth Parts of a Penny, of lawful Money of Great Britain, out of the Land-Rent.

III. Stat. 1 G. c. 2. *An Act for charging and continuing the Duties on Malt, Mum, Cyder and Perry, for the Service of the Year 1715; and for making forth Duplicates of Exchequer-Bills, and Lottery-Tickets, lost, burnt, or destroy'd; and for enlarging the Time for adjusting Claims in several Lotteries; and for making forth new Orders in Lieu of certain Lottery-Orders, obliterated or defective; and for continuing certain Duties on Hops, till the first of August, 1715.* Vide *Excise*, Par. VIII. *Hops*, Par. I. *Lotteries*, Par. V.

IV. Stat. 1 G. c. 12. *An Act for enlarging the Fund of the Governor and Company of the Bank of England, relating to Exchequer-Bills, and for settling an additional Revenue of 120,000 l. per Annum, upon his Majesty during his Life, for the Service of the Civil Government: And for establishing a certain Fund of 54,600 l. per Annum, in Order to raise a Sum not exceeding 910,000 l. for the Service of the Publick, by Sale of Annuities after the Rate of 6 l. per Cent. per Annum, redeemable by Parliament: And for satisfying an Arrear for Work at Blenheim, incurred whilst that Building was carried on at the Expence of her late Majesty Queen Anne, of Blessed Memory: And for other Purposes therein mentioned.* Vide *Bank of England*, Par. I. *Blenheim-House*, Par. I. *Hops*, Par. II.

V. Stat. 1 G. c. 19. *An Act for raising 910,000 l. for publick Services, by Sale of Annuities, after the Rate of 5 l. per Cent. per Annum, redeemable by Parliament: And to authorize a Treaty concerning private Rights claimed by the Proprietors of the Sugar-Houses in Scotland.* Vide *Annuities*, Par. I. *Scotland*, CXVIII.

VI. Stat. 1 G. c. 21. *An Act for enlarging the Capital Stock and yearly Fund of the South-Sea Company, and for supplying there by 822,032 l. 4 s. 8 d. to publick Uses: And for raising 169,000 l. for the like Uses, by Sale of Annuities, upon divers Encouragements therein mentioned, and for appropriating several Supplies granted to his Majesty.* Vide *Annuities*, Par. XX. *South-Sea Company*, Par. I.

VII. Stat. 28. All the Monies arising by the Land-Tax Act of this Session, 1 G. c. 1. and all the Monies arising from the Duties on Malt, &c. by Virtue of the Act of 1 G. c. 2. after the Loans thereon are satisfied, and all the Monies advanced by

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by the Act 1 G. c. 19. for raising 910,000 l. for publick Services, by Sale of Annuities, &c. and all the Monies to be advanced on this present Act for the like Services, shall be appropriated and apply'd as follows, viz. the Sum of 1,146,748 l. 11 s. 6 d. for defraying the Charges of the Navy; Half-Pay Sea-Officers, and other Incidents thereto belonging; the Sum of 93,629 l. 19 s. 9 d. for defraying the Charge of the Ordnance, and the Half-Pay of the Officers and Chaplains who served in the Train of Artillery in *Flanders and Spain*, and on several Expeditions; the Sum of 1,024,907 l. 5 s. 2 d. ob. for Maintaining his Majesty's Guards and Garrisons in *Great Britain, Jersey, Guernsey, America, Minorca and Gibraltar*, from the 24th of December, 1714, to the 25th of December, 1715, and the Charges of Officers Servants in *Minorca and Gibraltar* from the 25th of June, 1713, to the 24th of December, 1714, and for maintaining the Regiments of *Harrison, North and Grey*, and *Sterne* in *Flanders* or elsewhere, from the 29th of September, 1714, to the 25th of December, 1715; and for maintaining seven Battalions, consisting of the *Royal Regiment of Foot*, and the Regiments of *Webb, Forfar, Hill, Orrery and Sutton*, in *Flanders* or *England*, from the 29th of September, 1714, till the 25th of March, 1715, and for Bounty-Money to disbanded Men of several Regiments; and for maintaining the additional Forces of 3000 Dragoons and 4000 Foot, and four Companies added to the *Coldstream Regiment*, for a Year, and to defray the Levy-Money for the said additional Forces; and for Support of *Chelsea-Hospital*, and Pay of Out-Pensioners, for one Year, from the 24th of December, 1714, to the 25th of December, 1715; and for defraying the Charges of Half-Pay to the Officers of the disbanded Land-Forces and Marines; and any Sum not exceeding 250,000 l. towards satisfying Arrears due to the Land-Forces; and 53,322 l. for supplying the Deficiency of the Fund for the *Classis Lottery* of the Year 1711, for the Year ended at *Michaelmas*, 1714; and 52,938 l. 9 s. 8 d. for supplying the Deficiency of the Fund for the *Classis Lottery* in the Year 1712, for the Year ended at *Michaelmas*, 1714; and to no other Use, Intent or Purpose whatsoever. Provided, That such Sums as by any other Act of this Session shall be payable to any Commissioners of Accounts for their Salaries, or for their Clerks, or other incident Charges, shall be paid out of the Aids aforesaid, or any of them.

VIII. Stat. 1 G. c. 23. An Act for making Provision for the Ministers of the fifty New Churches, which are to be built in and about the Cities of London and Westminster, and Suburbs thereof: And for rebuilding and finishing the Parish Church of St. Mary Woolnoth in the said City of London. Vide Churches, Par. I.

IX. Stat. 1 G. c. 31. *An Act for granting an Aid to his Majesty by a Land-Tax in Great Britain, for the Service of the Year 1716.*

By this Act the Sum of 2,041,111 l. 6 s. 11 d. was to be raised in Great Britain, whereof 1,993,157 l. 5 s. 9 d. Part of the same, was to be raised in England in one Year, from the 25th of March, 1716, at 4 s. in the Pound on Land, at a Pound-Rate; and the Sum of 047,950 l. 1 s. 2 d. Residue of the said Sum of 2,041,111 l. 6 s. 11 d. to be raised in Scotland, by an eight Months Cess of 5994 l. 5 s. 1 d. 3 q. per Month, out of the Land-Rent.

In this Act there is a Clause by which the several Sums deficient for the Land-Taxes of 1707, 1708, 1709 and 1710, upon the Palaces of White-Hall and St. James's, not exceeding 45,980 l. 12 s. 6 d. 3 q. were to be discharged, and allowed on the Receiver General's Account; and the Commissioners within the said Palaces, and all Persons chargeable therewith, were freed and acquitted against the said Sums deficient, and all Process touching the same. The Clause of Loan in this Act was for any Sum not exceeding 1,880,000 l. with Interest at 6 l. per Cent. per Annum, free from all Taxes.

X. Stat. 1 G. c. 36. *An Act for charging and continuing the Duties on Malt, Mum, Cyder, and Perry, for the Service of the Year 1716; and for compelling several Receivers to finish and clear their Accounts: And for making Duplicates of Exchequer-Bills, Lottery-Tickets and Orders, lost, burnt, or destroy'd; and for enlarging the Time for adjusting Claims to certain Benefit-Tickets: And for allowing the Charge of executing the Lottery-Act, for the Service of the Year 1710: And for recovering Monies of several Land-Taxes resting in the Hands of Collectors or Constables at St. Albans; and for preventing Frauds in the Duties upon Soap: And for limiting a Time for Persons who have certain Annuities for Life or Lives, to demand the Payments thereupon at the Exchequer: And for preventing Frauds in the Duties relating to Printed and Painted Paper, Callicoos, and other Things therein mentioned.*

XI. Stat. 3. Whereas several Receivers General of the Land-Taxes, and several Receivers of the Duties on Houses, granted and payable to the late Queen, are deceased, removed, or were not continued in the Receipt of the Land-Tax granted to his present Majesty for the Service of the Year 1715, or of the Duties on Houses arising since his Majesty's Accession; and several of the said Persons, their Heirs, Executors, and Administrators, have in their Hands considerable Sums of the said Taxes and Duties, which ought long since to have been paid into the Exchequer, and the Accounts thereof remain unfinished,

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nished, to the unsufferable Loss and Damage of the Publick; Therefore enacted, That due Process of the Court of Exchequer shall be issued and executed, and all other Matters and Things performed in due Form of Law, against the said late Receivers and their Sureties, and their Heirs, &c. respectively, and against their Lands, Tenements, Goods and Chattels, whereby they may be compelled to finish and clear their Accounts of the Monies by them received; or wherewith they are chargeable, of the said Taxes and Duties; and no Warrant or Order shall be granted or allowed for staying such Process or any lawful Proceedings in that Behalf, till every such Account shall be finished and clear'd according to the Course of the Exchequer.

XII. *Seff.* 4. If any of the said Accounts shall remain unfinished or unclear on the 29th of *September*, 1716, the proper Auditor, or his Deputy, shall make a State thereof in Writing under his Hand, charging the Accountant with all the Monies wherewith he ought to be charged according to the Course of the Exchequer, allowing the Payments for which Talleys shall be produced, and such Allowances and Discharges as ought to be made by any Act of Parliament, or by the Course of Exchequer in that Behalf, on producing proper Vouchers for the same; and shall deliver such State so signed to the Barons of the Exchequers in *England* or *Scotland*, on the Oath of the said Auditor or his Deputy, to the best of his Knowledge and Belief; whereupon every such Receiver, his Heirs, &c. or Sureties, shall, from the said 29th of *September*, be charged with Interest or Damages for all such Sums of Money as shall be owing from the Accountant by such Account, at the Rate of 10 *l. per Cent. per Annum*, till the *Issu* or Balance due from him thereon be satisfied and discharged; and the said Interest or Damages shall be recoverable from the said Receivers, and their Sureties, their Heirs, &c. or from their respective Estates, as the principal Money can or may be recovered.

XIII. *Seff.* 13. It shall be lawful for the Commissioners of the Land-Tax for the Year 1716, for the Borough of *St. Albans* in the County of *Hertford*, or any three of them, to call before them the Collectors or Constables of the said Borough, their Heirs, &c. who collected the Land-Tax for that Borough in the Years, 1708, 1709, 1710, 1711, 1712, and 1713, and on their Appearance or Default, without reasonable Excuse, to examine what Sums were levied under Colour of the Land-Tax Acts of the said Years, or any of them, by the said Collectors or Constables, or any of them, upon unoccupied Lands and Houses, made good by the Parish or Place, over and above the Proportion charged on such Parish or Place, or above the Monies payable to the Receiver General for the same; and to

adjust the same; and to require such Collectors, &c. (who by Colour of the said Acts, or any of them, did afterwards levy the Tax on such Lands and Houses, and ought to have distributed the Monies raised thereby, to the Parties who contributed to the Tax of the unoccupied Lands and Houses, but have neglected so to do, or to render any Account thereof) their Heirs, &c. to distribute the Money so raised on the said unoccupied Houses and Lands, proportionably, to the Parties who contributed to the Taxes thereon, as aforesaid; and farther to require the said Collectors, having such overplus Monies in their Hands, or Monies unaccounted for, as aforesaid, their Heirs, &c. to pay the said Monies, as the said Commissioners, or any three or more of them shall direct, for the Benefit or Ease of such Parish respectively: And in Case any such Collector or Constable, or any of their Heirs, &c. shall make Default therein, the said Commissioners for the said Borough, or so many of them as are by the said Act impower'd to do any Matter or Thing for Recovery of any Monies thereby granted to his Majesty, which shall be detain'd by any Collector or Constable, by Distress and Sale of Goods, or Commitment of Persons, or Sale of their Estates, or otherwise, may do and execute the like Matters and Things for Recovery of such Overplus and other Monies detained by any Collector, &c. in the said Borough.

XIV. *Seff. 17.* After the first of June, 1716, before any Paper be printed, painted or stained, to serve for Hangings or other Uses, the Officers for the Duties on such printed, &c. Paper, shall be permitted to take Accounts of the Quantities and Dimensions of all Paper, for printing, &c. in the Possession of any such Printer, Painter or Stainer; and shall mark or stamp every Sheet and Piece with a Stamp or Seal already provided, or hereafter to be provided, in Pursuance of the Act for marking or stamping of Silks, Callicoes, &c. printed, &c. thereby to denote that such Account has been taken of such Paper; and if any Officer shall miss any Quantity of such Paper, whereof he had before taken an Account, and shall not receive Satisfaction what is become of it, he may charge the Printer, &c. with the Duties of the Paper so missing, as if the same were printed, &c.

XV. *Seff. 18.* No Person, who shall print, &c. any Paper chargeable with the said Duty, shall remove or cause to be removed, any Paper by him printed, &c. till the proper Officer has taken an Account of the Quantity thereof, and till every particular Piece be duly mark'd on Forfeiture of 20 l. and such Paper being found in the Possession of any Stationer, or other Dealer therein, or of any Person for the Use of such Stationer, &c. for Sale, may be seized and recover'd; one Moiety to the Crown, the other to the Seiser or Informer.

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XVI. *Stat.* 19. All Merchants, Stationers, &c. having in their Custody any Stock of such Paper, for Sale, shall, on Forfeiture of 30*l.* for every Neglect, deliver, before the said first of June, 1716, at the Office for the said Duties next to the Place where such Stock shall be, a Particular in Writing, sign'd by themselves or their Appointments, of their several Stocks, describing the whole Quantities and Kinds distinctly, that the same may be stamp'd with such Seal, denoting the charging the said Duties; and the Officers are empower'd to enter into any Shops, Warehouses, &c. belonging to such Merchants, &c. to view the Paper so printed, &c. and to take an Account thereof; and are required to mark the same with the proper Stamp; and all such Merchants, &c. shall, if required, permit the proper Officers for the said Duties, to make such Entrance, to take such Accounts, and so to mark such Paper, on Penalty, in Case of Refusal, of forfeiting 100*l.*

XVII. *Stat.* 20. All Fines, Penalties and Forfeitures by this Act imposed, relating to the Duties on Paper, shall be sued for, levied and recovered or mitigated, by such Ways and Means, as any Fine, &c. may be recovered or mitigated by the Laws of Excise; or by Action of Debt, &c. in any Court of Record at Westminster, or the Court of Session, Court of Justiciary, or Exchequer in Scotland; one Moiety to the Crown, the other to the Informer.

XVIII. *Stat.* 21. After the first of June, 1716, all Persons taking upon them to print, paint, stain or dye, any Silks, Calicoes, Linens or Stuffs, at any other Place than the usual Place of their Residence or Exercise of their Trade, shall, before they print, &c. any such Silks, &c. make a particular Entry thereof, with the proper Officer for the said Duties, and pay down the same, on Forfeiture of 50*l.* to be recovered as aforesaid; and such Silks, &c. so printed, &c. without Entry and Payment of the Duty, may be seized immediately by such Officer; one Moiety of such Penalties and Forfeitures to the Crown, the other to the Prosecutor or Informer. *Vide Annuities, Par. XXIII. Excise, Par. XX. Lotteries, Par. IX. Pope, Par. I.*

XIX. *Stat.* 1 G. c. 43. *An Act to continue Duties for encouraging the Coinage of Money; and to charge the Duties on Senna, as a Medicinal Drug: And for the appropriating several Supplies granted to his Majesty.* *Vide Coinage, Par. I. Senna, Par. I.*

XX. *Stat.* 6. Out of the Land-Tax and Malt Acts for the Year 1716, there shall be issued and apply'd the Sum of 984,472*l.* 19*s.* 6*d.* for naval Services, &c. And 122,496*l.* 18*s.* 2*d.* ob. for the Office of Ordnance for Land-Service, including Half-Pays in that Office. And 1,520,082*l.* 19*s.* 8*d.* ob. for main-
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taining the Land-Forces in Great Britain, Jersey, Guernsey, America, Minorca, and Gibraltar, and for the Pay of 6000 Men taken into his Majesty's Pay from the States General, &c. And the Sum of 50,886*l.* 11*s.* 2*d.* 6*d.* to make good the Deficiency of the Grants for the Year 1715. And 3702*l.* 8*s.* 7*d.* to discharge one Year's Interest at 6*l.* per Cent. of the Sum of 61,707*l.* 3*s.* 2*d.* remaining due of the Sum of 700,000*l.* borrow'd on the Act of 3*A.* c. 4. for laying Duties on Low Wines, &c. and towards the Payment whereof another Act passed 6*A.* (c. 22.) charging Coffee, &c. for four Years, which expired on the 23*d.* of June, 1714. And the Sum of 18,853*l.* 3*s.* 6*d.* to discharge one Year's Interest at 6*l.* per Cent. of the Sum of 314,219*l.* 11*s.* 2*d.* 9*d.* remaining due of the Principal Sum of 500,000*l.* borrow'd on the Act of 8*A.* c. 9. for laying Duties on Candles, &c. which expired on the first of May, 1715. And the Sum of 42,665*l.* 13*s.* 6*d.* for supplying the Deficiency of the Fund of 168,003*l.* per Annum, to make good the Payments to the 10*l.* Lottery of 1712, for the two several Years ended at Michaelmas, 1714.

XXI. Sect. 7. No Appropriation or other Matter in this Act contained, shall obstruct any Payments which by the Act of 1*G.* c. 21. for enlarging the Capital Stock of the South-Sea Company, shall be required to be made by the Treasurer of the Navy, or by any other Person to be intrusted with the publick Monies for the Service of the Navy, out of such publick Monies, Talleys, &c. in their Hands, as shall be charged to make good any Deficiencies to the South-Sea Company, or to their Treasurer, for their Use. *This Clause is continued by the Act 4 G. c. 3. Sect. 16. for making good any Deficiency to the said Company, incurred before the 24th of June, 1718.*

XXII. Sect. 8. Provided, That such Sums as by any other Act of this Session shall be payable to any Commissioners for stating the Debts due to the Army, for their Salaries, or for their Clerks, or other incident Charges, shall be paid out of the Aids aforesaid.

XXIII. Stat. 1*G.* c. 44. *An Act for the Continuing the Duty of two Pennies Scots, or one Sixth of a Penny Sterling, on every Pint of Ale and Beer that shall be vended or sold within the City of Glasgow and Privileges thereof, for the Benefit of the said City.* Vide Scotland, Par. LXX.

XXIV. Stat. 3*G.* c. 3. *An Act for granting an Aid to his Majesty by a Land-Tax in Great Britain for the Service of the Year 1717.*

By this Act the Sum of 1,530,175*l.* 19*s.* 4*d.* 6*d.* was enacted to be raised in Great Britain in one Year, from the 25*th* of March,

March, 1717: And the Sum of 1,494,210*s.* 8*s.* 6*d.* Part thereof, was to be raised in *England, Wales and Berwick*, at 2*s.* in the Pound on Personal Estates, and 3*s.* in the Pound on Lands, at a Pound-Rate; and the Sum of 33,965*l.* 10*s.* 10*d.* Residue thereof, to be raised in *Scotland* by an eight Months Cess of 4495*l.* 13*s.* 10*d.* and five sixteenth Parts of a Penny, of lawful Money of *Great Britain*, for every Month, out of the Land-Rent. In this Act there is a Clause of Loan for any Sum not exceeding 1,410,000*l.* with Interest at 5*l.* per Cent. Tax-free: And by the six last Clauses of this Act, it is enacted as follows, *viz.*

XXV. *Stat. 121.* The Commissioners present at a publick Meeting, (others than such as have been Collectors of any Land-Tax) may summon Collectors suspected to have levied any Money under Colour of any Land-Tax within seven Years next before the Beginning of this Session of Parliament, and to have converted the same fraudulently to their own Use; and if such Collectors be dead, then the Heirs, Executors, &c. of such Collectors; requiring them to appear before them at a Time and Place prefixed; and on their Appearance or Default, may enquire by Examination of Witnesses on Oath, or any other lawful Ways and Means, and determine what Money such Collectors did levy and convert to their own Use; and thereon may issue their Warrants for paying such Monies to his Majesty's Use: That is, in Case there be any Deficiency on any Parish, &c. then the Deficiency shall be satisfied in the first Place out of the Monies so recovered; or the same, so far as it will extend, shall be applied towards the making good such Deficiency. And in all Cases where there is no Deficiency, &c. the Commissioners shall order the Money to be paid to the Receiver General towards discharging so much of the Proportion on such Parish, &c. by Virtue of this Act.

XXVI. *Stat. 122.* Such Payments so to be made in Pursuance of such Orders, shall be good and sufficient Discharges to the said Collectors, their Heirs, &c. against his Majesty, &c.

XXVII. *Stat. 123.* If any Collector shall neglect to pay any Sum of Money within the Time limited by such Orders, the Commissioners may imprison him till Payment; and seise the Estate, as well Freehold as Copyhold, of such Collectors, their Heirs, &c. where-ever the same can be found, and sell the same; and out of the Monies arising may pay the Sum detain'd, with the Charges; and the Overplus shall be restored to the Owner.

XXVIII. *Stat. 124.* The Sum of 3000*l.* granted to the Chaplains that served in the Fleet during the late War, by the Act 12 *A. Stat. 2. c. 9.* For laying additional Duties on Sops and Paper, &c. shall be distributed amongst such Chaplains as served in

the Fleet during the late War, and which were not in her Majesty's Service, or had not some Ecclesiastical Preferment on the 10th of November, 1713. to the Value of 50*l.* per Annum; that is to say, to such of them as had served in a First or Second Rate Man of War, 80*l.* each, in a Third or Fourth Rate, 60*l.* in a Fifth or Sixth Rate, 30*l.* each.

XXIX. *Stat.* 125. In Case the said 3000*l.* be not sufficient to pay all the Chaplains their said Shares, then there shall be proportionable Abatements made out of the Shares, according to the before-mentioned Proportions; and the Surplus, if any, shall be equally distributed.

XXX. *Stat.* 126. If any of the said Chaplains shall be dead at the Time when the Distribution is made; then the Heirs, &c. of such Chaplain, shall be entitled to such Share as the respective Chaplains would have been.

XXXI. *Stat.* 3 G. c. 4. *An Act for continuing the Duties on Malt, Mum, Cyder and Perry, for the Service of the Year 1717: And to authorize Allowances to be made to certain Receivers: And to obviate a Doubt concerning Goods imported from the Islands of Jersey, Guernsey, Sark and Alderney: And to ascertain the Duties on Sheep-Skins and Lamb-Skins: And to prevent Frauds in the Duties upon Starch: And for making forth Duplicates of Exchequer-Bills, Lottery-Tickets and Orders, lost, burnt or destroyed: And for enlarging the Time for adjusting Claims in several Lotteries: And for preventing Frauds in the Duties on Low Wines and Spirits carried Coastwise. Vide Excise, Par. XXI. Jersey, &c. Par. I. Leather, Par. I. Lotteries, Par. XI.*

XXXII. *Stat.* 3 G. c. 5. *An Act for continuing the Duty of two Pennies Scots, or one sixth Part of a Penny Sterling, on every Pint of Ale and Beer, that shall be vended or sold within the City of Edinburgh, and Privileges thereof, for the Benefit of the said City; and for discontinuing the Payment of the Dues, commonly called the Petty Port Customs at Edinburgh during the Continuance of this Act. Scotland, Par. XXIV.*

XXXIII. *Stat.* 3 G. c. 6. *An Act for laying a Duty of two Pennies Scots upon every Pint of Ale or Beer, that shall be vended or sold within the Town of Dumfries, and Privileges thereof, for paying the Debt of the said Town, and for building a Church, and making a Harbour there. Scotland, Par. I.*

XXXIV. *Stat.* 3 G. c. 7. *An Act for redeeming the Duties and Revenues which were settled to pay off Principal and Interest on the Orders made forth on four Lottery Acts passed in the ninth and tenth Years of her late Majesty's Reign, and for redeeming certain Annuities payable on Orders out of the Hereditary Excise, according*

to a former Act in that Behalf: And for establishing a General yearly Fund, not only for the future Payment of Annuities at several Rates, to be payable and transferrable at the Bank of England, and redeemable by Parliament; but also to raise Monies for such Proprietors of the said Orders as shall choose to be paid their Principal and Arrears of Interest in ready Money: And for making good such other Deficiencies and Payments as in this Act are mentioned: And for taking off the Duties on Linseed imported, and British Linen exported. Vide Annuities, Par. XXIV. Customs, Par. I. Linen-Cloth, Par. II. Linseed, Par. I.

XXXV. Stat. 3 G. c. 8. *An Act for redeeming several Funds of the Governor and Company of the Bank of England, pursuant to former Provisions of Redemption; and for settling on them new Funds and Allowances redeemable by Parliament; and for obliging them to advance farther Sums, not exceeding 2,500,000 l. at 5 l. per Cent. as shall be found necessary to be employ'd in lessening the national Debts and Incumbrances: And for continuing certain Provisions formerly made for the Expences of his Majesty's Civil Government: And for Payment of Annuities formerly purchased, at the Rate of 5 l. per Cent. And for other Purposes in this Act mentioned. Vide Bank of England, Par. XXXIII.*

XXXVI. Stat. 3 G. c. 9. *An Act for redeeming the yearly Fund of the South-Sea Company, (being after the Rate of 6 l. per Cent. per Annum) and settling on the said Company a yearly Fund after the Rate of 5 l. per Cent. per Annum, redeemable by Parliament: And to raise for an Annuity or Annuities at 5 l. per Cent. per Annum, any Sum not exceeding Two Millions, to be employed in lessening the national Debts and Incumbrances; and for making the said new yearly Fund and Annuities to be hereafter redeemable in the Time and Manner thereby prescribed. Vide South-Sea Company, Par. XI.*

XXXVII. Stat. 4 G. c. 1. *An Act for granting an Aid to his Majesty by a Land-Tax to be raised in Great Britain, for the Service of the Year, 1718.*

By this Act the Sum of 1,529,514 l. 3 s. 2 d. ob. was to be raised in one Year in Great Britain, at 3 s. in the Pound, &c. with the like Clause of Loan, &c. as in the Act 3 G. c. 3. which see above, Par. XXIV.

XXXVIII. Stat. 4 G. c. 3. *An Act for continuing the Duties on Malt, Munn, Cyder and Perry, for the Service of the Year 1718: And for making forth Duplicates of Exchequer-Bills, Lottery Tickets and Orders, lost, burnt or destroy'd: And for appropriating the Supplies granted in this Session of Parliament. Vide Excise, Par. XXIII. Salt-Pay Officers, Par. I. Lotteries, Par. XII.*

XXXIX. *Stat. 14.* All the Sums of Money granted this Session on the Land-Tax and on this Act, shall be appropriated to the several Uses herein expressed, viz. The Sum of 744,857*l.* 14*s.* 11*d.* towards defraying the naval Services; and 165,317*l.* for Repairs of the Navy; and 73,317*l.* 12*s.* 11*d.* for the Office of the Ordnance for Land Services; and 919,731*l.* 14*s.* 8*d.* ob. for maintaining the Land-Forces, and other Services, viz. 650,000*l.* for defraying the Charge of 16,347 Men for Guards and Garrisons, &c. in Great Britain, Jersey and Guernsey, for the Year 1718; and 35,766*l.* 5*s.* for the Forces in America; and 1558*l.* 17*s.* 1*d.* for the Garrisons at Placentia and Annapolis; and 2858*l.* 13*s.* 10*d.* for the Independent Company in the Islands of Bahama and Providence; and 57,613*l.* 14*s.* 7*d.* for the Forces in Minorca; and 39,382*l.* 14*s.* 9*d.* ob. for the Forces in Gibraltar; and 13,551*l.* 9*s.* 5*d.* for Provisions there; and 25,000*l.* for Chelsea-Hospital, over and above the Poundage and Day's Pay; and 94,000*l.* to be paid to the reduced Officers.

XL. *Stat. 15.* Out of the said Aids the Sum of 581,196*l.* 8*s.* shall be applied to make good the Deficiencies of the Grants in Parliament for the Year 1717; and the Sum of 29,645*l.* 8*s.* 9*d.* 1*q.* towards enabling the Treasurer of the Navy to make good the Payments which in the Half-year, to end the 24th of June, 1718, may be demanded of him to complete the Funds of 608,000*l.* per Annum, payable to the South-Sea Company.

XLI. *Stat. 5 G. c. 1.* An Act for granting an Aid to his Majesty, by a Land-Tax to be raised in Great Britain for the Service of the Year 1719. The like Act as for the Years 1717, and 1718.

XLII. *Stat. ult.* The Deficiency of 110,312*l.* 17*s.* 4*d.* 3*q.* for the Year 1718, shall be made good to the Treasurer of the Navy, upon Account, for the Service of the Navy and Victualing, out of the General yearly Fund of 724,849*l.* 6*s.* 10*d.* and one fifth Part of a Penny, establish'd by the Act 3 G. c. 7. or out of Money to be raised at the Exchequer for purchasing Annuities at 5*l.* per Cent. for the Sum of 110,312*l.* 17*s.* 4*d.* 3*q.* which Annuities shall be charged on the said General yearly Fund, and payable and transferrable at the Bank of England until Redemption thereof by Parliament; and the Commissioners of the Treasury, &c. are required to issue their Warrants, and to do all other Acts requisite for making good the said Deficiency, and for registering and Payment of such Annuities in respect thereof to the Treasurer of the Navy.

XLIII. *Stat. 5 G. c. 11.* An Act for continuing the Duties on Malt, Mum, Cyder and Perry, for the Service of the Year 1719: And for enlarging the Time for entering at the Exchequer such Assignments:

ments of reverſionary Annuities as are therein mentioned: And for better ſecuring the Duties on Hides and Skins, Vellum and Parchment. Vide Excise, Par. XXX. Leather, Par. II.

XLIV. Stat. 5 G. c. 3. *An Act for applying certain Overplus Monies and further Sums, to be raised as well by Way of a Lottery as by Loans, towards paying off and cancelling Exchequer-Bills, and for lessening the present great Charge in Relation to those Bills; and for circulating and exchanging for ready Money the Residue of the same Bills for the Future.* Vide Lotteries, Par. XIII.

XLV. Stat. 5 G. c. 9. *An Act for continuing certain Duties on Coals and Culm, and for establishing certain Funds to raise Money, as well to proceed in the Building of new Churches, as also to compleat the Supply granted to his Majesty, and to reserve the Overplus Monies of the said Duties for the Disposition of Parliament; and for more effectual suppressing private Lotteries.* Vide Churches, Par. IX. Lotteries, Par. LXXXI.

XLVI. Stat. 5 G. c. 16. *An Act for laying a Duty of two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Pint of Ale or Beer that shall be vended or sold within the Town of Dunbar, for improving and preserving the Harbour, and repairing the Town-House, and building a School, and other publick Buildings there; and for supplying the said Town with Fresh-Water.* Vide Scotland, Par. X.

XLVII. Stat. 5 G. c. 17. *An Act for laying a Duty of two Pennies Scots, or one sixth Part of a Penny Sterling, upon every Pint of Ale or Beer, that shall be vended or sold within the Town of Inverness, and Privileges thereof, for paying the Debts of the said Town, and for building a Church, and making a Harbour there.* Vide Scotland, Par. XCVII.

XLVIII. Stat. 5 G. c. 19. *An Act for redeeming the Fund appropriated for Payment of the Lottery-Tickets which were made forth for the Service of the Year 1710, by a voluntary Subscription of the Proprietors into the Capital Stock of the South-Sea Company: And for raising a Sum of Money to pay off such Debts and Incumbrances as are therein mentioned: And for appropriating the Supplies granted this Session of Parliament: And to limit Times for Prosecutions upon Bonds for exporting Cards and Dice.* Vide Cards and Dice, Par. I. South-Sea Company, Par. XXXVI.

XLIX. Stat. 42. *All the Monies granted this Session by the Acts of 5 G. c. 1. 5 G. c. 2: and 5 G. c. 9 shall be appropriated as follows, viz. The Sum of 502,719 l. 10 s. 10 d. 3 q. to make Good the Deficiencies of the Grants in Parliament for the Year 1718, and 102,992 l. 13 s. and one Fifth of a Penny.*
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to make good the Deficiency of the general Fund for the Year ended at *Michaelmas*, 1718. And 914,638 *l.* 17 *s.* 6 *d.* ob. for naval Services; and 88,494 *l.* for Repairs of the Navy; and 71,527 *l.* 12 *s.* 11 *d.* for the Charge of the Office of Ordnance for Land-Service: 809,636 *l.* 17 *s.* 6 *d.* ob. for the Land-Forces and other Services, *viz.* 526,964 *l.* 11 *s.* 8 *d.* for Guards and Garrisons, and 147,672 *l.* 5 *s.* 10 *d.* 2 *q.* for the Forces in the Plantations, *Minorca*, &c. and 25,000 *l.* for *Chelsea-Hospital*; and 110,000 *l.* for Half-Pay to the reduced Officers of the Land-Forces.

L. Sect. 43. The Sums due to the Commissioners for taking, &c. the Debts due to the Army, and to the Commissioners for stating the Equivalent, for their Salaries, or for their Clerks, or other incident Charges, shall be paid out of the Aids aforesaid. *The like Rules to be observed in the Application of the 110,000 l. for Half-Pay as are prescribed by former Acts; which see in Title Half-Pay Officers.*

Tithes.

I. Stat. 1 *G. c.* 26. *Sect.* 2. Enacted, That the Act 11 *Ch.* 12 *W.* 3. *c.* 16. For the better ascertaining the Tithes of Hemp and Flax, which was to continue for seven Years, and from thence to the End of the next Session of Parliament; which Act was farther continued by 6 *A. c.* 28. for seven Years from the Expiration thereof; and farther continued by 1 *G. Stat.* 1. *c.* 3. *sect.* 8. and will expire at the End of this Session, shall be made perpetual.

Tobacco.

I. Stat. 1 *G. c.* 46. Enacted, That every Person, who, after the 20th of *June*, 1716, shall cut or procure to be cut, any Walnut-Tree Leaves, Hop Leaves, Sycamore-Leaves, or any other Leaves, Herbs, Plants or Materials whatsoever, (not being Tobacco-Leaves) into the Form, or Imitation of any the usual Sizes or Cuts, which Tobacco has been or shall be cut into, for Sale; or shall colour or cure, or procure to be coloured or cured, any such Leaves, &c. to make them resemble Tobacco; or shall sell or procure to be sold, or agree or offer to sell, knowingly, any such Leaves, &c. mixed or unmixed with Tobacco, as if the same were Tobacco, shall forfeit for every Pound-Weight of such Leaves, &c. so cut, &c. or knowingly offered to Sale; and for every Pound-Weight of such Mixture as aforesaid, 5 *s.* and after that Rate for a greater or lesser Quantity; one Moiety to his Majesty, (he bearing the

the Charge of Prosecution, and not otherwise) and the other to the Informer; to be recover'd (with full Costs of Suit) by Action of Debt, &c. in any the Courts at *Westminster*, or in the Exchequer in *Scotland*, wherein no *Essoin*, &c. or more than one *Imparlance*, shall be allowed.

II. *Sec.* 2. All Persons, who after the said 20th of June, shall export or put on Board, or cause to be exported or put on Board for Exportation, any such Leaves, &c. or endeavour to obtain a Drawback for the same, as if it were Tobacco which had paid his Majesty's Duties, shall forfeit 5 s. for every Pound-Weight, and proportionably for a greater or lesser Quantity, over and above all other Penalties, which by any Law now in Force may be inflicted for such Offence; to be recovered and distributed as aforesaid.

III. *Sec.* 3. All Leaves, &c. so cut, &c. and all Engines, Utensils and Tools, made use of in cutting or curing the same, or prepared for such Use, may be searched for and seized by any Officer of the Customs, or by any Persons thereto specially authorized by the Treasury, or any three of the Commissioners of the Customs in *England* or *Scotland*, by Writing under their Hands and Seals.

IV. *Sec.* 4. No House, &c. shall be opened to search for such Leaves, &c. or such Engines, &c. but at seasonable Hours, and not without a special Warrant from two Justices of the Peace: And such Leaves, &c. Engines, &c. which shall be seized within the Limits of any Port, or within six Miles of the same, shall be brought to the next Custom-house Warehouse; and if seized at a greater Distance, shall be secured by Order of two Justices, at the King's Charge, till the Cause of such Seizure shall be determined by the Justices of Peace at the next, or at farthest at the second Quarter-Sessions after such Seizure made: And all such Leaves, &c. (after Condemnation by Judgment of such Sessions) shall be openly burnt or destroyed at his Majesty's Charge.

V. *Sec.* 5. All Servants and Labourers, employ'd in cutting, &c. such Leaves, &c. or in knowingly vending the same, and being convicted thereof by the Oath of one or more Persons, before two Justices, shall by them be committed to the Common Gaol or House of Correction, there to be kept at hard Labour for any Time not exceeding six Months, without Bail.

VI. *Sec.* 6. Persons sued for any Thing done in Pursuance of this Act, may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff be nonsuit, &c. the Defendant shall recover treble Costs.

VII. *Sec.* 7. If any Person shall, after the 20th of June, 1716, make, mix or colour, or cause to be made, &c. any sort of Snuff, with Oker, Umber, or any other Kind of Colouring, except

except with Water tinged with *Venetian Red* only; or shall mix or cause to be mixed with any Snuff, any Fustick or yellow Ebony, Touchwood, or other Sort of Wood, or any Dirt, Sand or Dust sifted from Tobacco, or knowingly sell or expose to Sale such Snuff; he shall forfeit the Snuff, and 3 *l.* for every Pound-Weight thereof, and in Proportion for a greater or lesser Quantity; to be recover'd by Action of Debt, &c. in any Court at *Westminster*, or in the Exchequer in *Scotland*; one Moiety to the Crown, the other to the Prosecutor.

VIII. Stat. 5 G. c. 7. Sect. 1. The Act 12 A. Sect. 2. 3. for encouraging the Tobacco-Trade, and all the Rules, Powers, Penalties, Clauses, &c. therein contain'd, shall be continued and be in Force, during such Time as the respective Duties on Tobacco shall continue.

Trade and Commerce.

I. Stat. 3 G. c. 1. Sect. 1. It shall be lawful for his Majesty, by one or more Proclamations, to be issu'd before the 20th of March, 1717, to prohibit or restrain all Persons, Natives and Foreigners, to ship or export, or cause to be shipped or exported, directly or indirectly, out of *Great Britain* or *Ireland*, or any the Dominions thereto belonging, to or for the Kingdom of *Sweden*, or any the Countries under the Power of the King of *Sweden*, any Goods, Wares, Commodities or Merchandizes whatsoever, or such particular Goods, &c. as in such Proclamation shall be enumerated and forbidden, (whether the said Goods, &c. be or be not of the Product or Manufacture of *Great Britain* or *Ireland*, and the Dominions thereto belonging) during such Time, not exceeding one Year, from the 20th of March, 1716, and from thence to the End of the next Session of Parliament, under the Penalties in this Act mentioned, and in such Manner, as by such Proclamation shall be prescribed.

II. Sect. 2. It shall be lawful for his Majesty, by Proclamation to be issued before the said 20th of March, to prohibit or restrain all Persons, to import or procure to be imported, directly or indirectly, into *Great Britain*, *Ireland*, or the Dominions thereto belonging, any Goods, &c. of the Growth or Manufacture of *Sweden*, or of any the Dominions under the Power of the King of *Sweden*, (mix'd or unmix'd with the Goods of other Countries) or such particular Goods &c. of *Sweden*, &c. as in such Proclamation shall be enumerated and forbidden, during such Time, not exceeding one Year to be reckoned from the 20th of March, 1716, &c. as in the preceding Session.

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III. *Seff. 3.* If after the Issuing of any such Proclamation, any Persons, Natives or Foreigners, shall wilfully offend against the Tenor thereof, then all the said Goods, &c. which shall be so exported or imported, and the Ships exporting or importing the same, with their Tackle, &c. shall be forfeited, and may be seized, wheresoever they can be found; and such Seizures may be sued for and recovered, by such Ways and Rules, and in such Manner, as any Goods seized for unlawfull Importation or Exportation may be: And all Persons who shall have exported, or shipped for Exportation, or imported any such Goods, &c. contrary to the true Meaning of this Act, and of such Proclamation to be grounded thereon, shall forfeit the Value thereof, to be ascertained and recovered, as the Value of any uncustomed or prohibited Goods is by Law to be.

IV. *Seff. 4.* Two Thirds of the Forfeitures and Penalties upon this Act shall be to the King, (the Charges of Prosecution being born by his Majesty) and the other to the Seisor, Informer or Prosecutor.

V. *Seff. 5.* No Person shall incur any Penalty by Virtue of this Act, or of any Proclamation to be issued thereon, by Reason of his importing Goods, &c. from Sweden, into Great Britain, &c. of the Growth, &c. of that Kingdom, which are, or before the 15th of April, 1717, shall be laden on Board any Vessel in Sweden, or other foreign Parts, to be brought into Great Britain, &c. so as Proof be made on Oath (which any Commissioner, &c. of the Customs may administer, without Fee) that such Goods, &c. were so put on Board, on or before the said 15th of April, 1717.

VI. *Stat. 5 G. c. 21. Seff. 1.* If any of his Majesty's Subjects shall, after the 27th of February, 1718, sail, go, or repair to, or be in the East-Indies, or in such Places of Asia, Africa and America, beyond the Cape of Bona Esperanza to the Streights of Magellan, where any Trade or Traffick of Merchandize is or may be used or had, or any of them, contrary to the Laws now in Being, or to the Tenor of this Act, every Person so offending, shall be liable to such Punishment, as by any Law now in Being may be inflicted for such Offence.

VII. *Seff. 2.* It shall be lawful for the United Company of Merchants of England trading to the East-Indies, and their Successors, to arrest and seize, or cause to be arrested, &c. such Persons, being Subjects of the Crown of Great Britain, at any Places, or where they shall be found within the Limits aforesaid, and to send them to England, there to answer for the said Offence, according to due Course of Law.

VIII. *Seß.* 3. Every Person, who after the 5th of February, 1718, shall procure, solicit for, obtain or act under any Commission, Authority or Pass, from any foreign Prince, State, or Potentate, to sail or trade in or to the *East Indies*, or any the Parts aforesaid, shall forfeit 500*l.*

IX. *Seß.* 4. The said Penalties and Forfeitures may be sued for and recovered in any Court of Record at *Westminster*, by Bill, &c. wherein no *Essoin*, &c. nor more than one *Impar-* lance shall be allowed; one Moiety to the Informer, the other to the Crown.

X. *Seß.* 5. Nothing in this Act shall extend to restrain or prejudice such Trade, or Right of Trade or Navigation, within any the said Limits, as the *South-Sea Company* are entitled unto.

XI. *Seß.* 6. This Act shall continue in Force for five Years, and from thence to the End of the next Session of Parliament, and no longer.

Treason and Traitors Estates.

I. Stat. 1 G. 2. 33. *Seß.* 1. Enacted, That all the Offenders who are now in actual Custody on Account of the Rebellion, (raised and still continued within this Realm,) and High Treason in levying War against his Majesty, and all others who shall be guilty of High Treason, and be apprehended and imprisoned for the same before the 23d of January, 1716, may be proceeded against for the said Treasons, and the said Treasons may be enquired of, heard and determined, before such Commissioners of *Oyer and Terminer*, or Gaol-Delivery, and in such Shire, as shall be assigned by his Majesty's Commission under the Great Seal, and by good and lawful Men of the Body of the same Shire, in like Manner as if such Treasons had been committed in the same Shire where they shall be so enquired of, &c. And if any Indictments against such Offenders have been or shall be found in the County where such Offences have been or shall be committed, the Offenders may be proceeded against on such Indictments, for such Treasons, before such Commissioners of *Oyer and Terminer*, or Gaol Delivery, and in such Shire as shall be assign'd by his Majesty's Commission under the Great Seal, and by good and lawful Men of the Body of the same Shire; and such Indictments shall be certify'd to such Commissioners upon his Majesty's Writ of *Certiorari*, to be issued for that Purpose under the Great Seal; and in all such Cases no Challenge for the Shire or Hundred shall be allowed; but on the Trials of such Treasons, the Challenge to any Juror for Want of Freehold in the County where the same shall be

be tried by Virtue of this Act, and all other Challenges to Jurors, shall be allow'd.

II. *Stat. 2.* If any Peer of this Realm be indicted of any such Treason by Authority of this Act, such Peer shall have his Trial by his Peers.

III. *Stat. 3.* This Act shall not extend to alter the Place of Indictment or Trial, unless the Person indicted shall, on his Trial, be proved to have been actually in Arms, or to have personally joined with others while in Arms, in the Rebellion charged in the Indictment: But on Failure of such Proof, such Person shall be acquitted of such Indictment, in the same Manner, and to the same Purposes only as he should have been if this Act had never been made.

IV. *Stat. 1 G. c. 50. Sect. 1. An Act for appointing Commissioners to enquire into the Estates of certain Traitors, &c.* Reciting, That whereas a Rebellion had been raised against the King, which had occasioned an excessive Charge to his good Subjects: And it being highly reasonable, as well for the Ease of the said Subjects, as for a more effectual Extinguishing the Flame of that Rebellion, and to deter all disaffected Persons from renewing it, That, (according his Majesty's gracious Condescension in this Behalf) the Estates real and personal of the Rebels and Traitors be applied to the Use of the Publick: Therefore enacted, That all the Castles, Honours, Lordships, Manors, Messuages, Lands, Tenements, Rents, Reversions, Services, Remainders, Possessions, Royalties, Franchises, Jurisdictions and Privileges, and all their Appurtenances; and all Rights of Entry, Rights of Action, Titles, Conditions, Uses, Trusts, Powers and Authorities, and all Leases for Life, Lives, or Years, Pensions, Annuities, Rents, Charges, and Hereditaments whatsoever, and of what Kind soever, in Great Britain, Ireland, or elsewhere, whereof any Person who since the 24th of June, 1715, hath been attainted, or before the 24th of June, 1718, shall be attainted by the Laws of this Realm, for levying War within the same, or for conspiring the Death of his Majesty, or for any other High Treason, committed before the first of June, 1716, in Great Britain, or elsewhere, was or shall be seized of or entitled unto, on the 24th of June, 1715, or afterwards, in his own Right, or to his own Use, or whereof any other Person was seized, or interested in, to the Use of, or in Trust for him, on the said 24th of June, 1715, shall be forfeited to his Majesty, and adjudged to be in the actual and real Possession of his Majesty, without any Office or Inquisition thereof hereafter to be taken or found; and all Judgments, Statutes, Recognizances, Extents, Mortgages and Securities for Money, Rights of Redemption of Mortgages, and other Securities; Debts of Record, and other Debts, Specialties, Obli-

Obligations, Goods and Chattels, of what Kind soever, which any Person so attainted, or to be attainted within the Days and Times aforesaid, was possessed of, or entitled to, or any others in Trust for them stood possessed of, or interested in, on the respective Days and Times the same by Law did or shall become forfeited, or any Time afterwards, shall be adjudged to be forfeited, and are hereby vested in the actual Possession of his Majesty, without any farther Office or Inquisition: All which said Castles, &c. are hereby declared and enacted to be so vested in his Majesty, for the Use of the Publick, according to such Acts as shall hereafter be made in that Behalf, and to no other Purpose whatsoever; except as to such Debts and personal Goods and Chattels, touching which other Provision is made by this Act: And where any of the Persons attainted, or to be attainted as aforesaid, were seised of an Estate-tail in Possession, in any such Castles, &c. or other the Premises, the same are hereby enacted to be vested in his Majesty, in Fee-simple, that the same may be absolutely sold according to such Acts as shall hereafter be made in that Behalf.

V. *Seff.* 2. All Grants, Demises, Leases, Confirmations, Restitutions, Assurances and Dispositions, made or granted, or to be made or granted, by his Majesty, &c. under the Great Seal, or under any his Majesty's Seals in *England* or *Scotland*, or otherwise, of the same Estates, or any of them, or any Part thereof, shall be null and void.

VI. *Seff.* 3. Nothing in this Act shall extend to take away, alter, or diminish, any Right, Title, Benefit or Advantage, which any Superiors, Vassals, Landlords, Tenants, Creditors, or others, continuing peaceable and in dutiful Allegiance to his Majesty, are or shall be entitled to by Virtue of the Act 1 G. c. 26. For encouraging all Superiors, Vassals, &c. who shall continue in their Duty, &c. or to repeal, alter, or make void any the Provisions, Matters or Things in that Act contained.

VII. *Seff.* 4. Richard Grantham, George Treby, Arthur Ingram, George Gregory, Esqrs; Sir Richard Steele. Knight; Sir Henry Houghton Bart. Patrick Haldane Esq; Sir Thomas Hales Bart. Robert Munro, Henry Cunningham, Dennis Bond Esqrs; John Birch Serjeant at Law, and Sir John Eyles, Bart. shall be Commissioners for enquiring into all such Estates, as are by this Act vested in his Majesty, for putting in Execution the several Powers by this Act committed to their Charge, in the Manner hereby prescribed.

VIII. *Seff.* 5. No Commissioner herein named shall be capable of Acting as such, or of executing any the Powers herein contained, (except that of administering Oaths to any of their Number, till he shall have taken the Oaths appointed by the Act 1 G. c. 13. and also one other Oath to the Effect following, viz.

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I A. B. do swear, That I will faithfully and impartially, according to the best of my Skill and Knowledge, execute the several Trusts reposed in me by an Act of Parliament, [intituled, An Act for appointing Commissioners to enquire of the Estates of certain Traitors, and of Popish Recusants, and of Estates given to Superstitious Uses, in Order to raise Money out of them severally for the Use of the Publick;] and will likewise, according to the best of my Skill and Knowledge, faithfully and impartially execute all and every the Powers and Authorities in the said Act, so far as they relate to me, as one of the Commissioners therein named, without Favour or Affection, Prejudice or Malice; and that I will not, directly or indirectly, receive or take any Fee or Reward, or expect or accept the Promise of any Fee or Reward for any Thing whatsoever to be done in Execution of the same Act (other than what shall be granted or allowed me by that Act, or by some other Act of Parliament in that Behalf) and that I will not, directly or indirectly, have any Part, Share, or Interest, or make any Benefit by any Discovery of any forfeited or forfeitable Estate or Interest whatsoever intended thereby to be applied to the Use of the Publick, or conceal, or cause or procure to be concealed, the same, or any Part thereof, to the Prejudice of his Majesty or the Publick.

So help me God.

Which Oaths may be administred by any two of the said Commissioners to any of them; and Memorials thereof shall be register'd in the Books hereby appointed to be kept for registering the Proceedings of the Commissioners.

IX. *Sec. 6.* There shall be a general Meeting of the Commissioners in the Exchequer-Chamber at Westminster, on or before the 3d of July, 1716; and as many the like general Meetings afterwards as there shall be Occasion for: And the Commissioners, or so many of them as shall be present at such Meetings, or the major Part of them, shall agree upon, and set down in Writing, such Rules and Instructions, (being consonant to the Scope of this Act) as they shall judge necessary for the Guidance of themselves and their Officers in the Performance of the Trusts hereby in them reposed; and shall subdivide and distribute themselves and the Commissioners not then present, into less Numbers; so as six or more may be appointed to reside in Scotland, to execute the several Trusts and Powers in this Act, in Relation to Scotland; and so that seven or more may be appointed to reside in England, to execute the several Trusts, &c. in Relation to England, and any other Parts, except Scotland; and so as the Commissioners who are to reside in England and Scotland respectively, may appoint one or more Commissioners to travel into any Parts of his Majesty's Dominions, where the forfeited or forfeitable Estates lie, for the

better Discovery thereof: Nevertheless it is not intended by such Distribution to restrain any of the Commissioners from acting in any Place where they shall be present.

X. *Sett.* 7. His Majesty, in Case of any Dispute, &c. in such Sub-division of the Commissioners, may, by Warrant under his Sign Manual, make such Order therein, as he shall think most expedient for carrying on the Services by this Act directed; which Orders shall be duly obey'd by the said Commissioners.

XI. *Sett.* 8. The Commissioners in *England* and *Scotland* respectively, or any four of them, may appoint and imploy such Persons as they shall think proper (during Pleasure of the said Commissioners) to be Registers, Clerks, Surveyors, Messengers, or other necessary Officers for the Execution of this Act; who are required faithfully to execute the Trusts in them reposed, without taking any Thing for such Service, other than such Fees, Salaries or Rewards, as the Commissioners making such Appointment shall direct: And every such Register, &c. before he enters on his Employment, shall take the Oath prescribed by the Act 1 G. c. 13. *For the further Security of his Majesty's Person and Government, &c.* and also an Oath for his true and faithful Demeanor in all Things relating to the Trust reposed in him by the said Commissioners; and that he will not, directly or indirectly, receive or take any Fee or Reward, or expect or accept the Promise of any Fee or Reward, for any Thing to be done by him in Execution of the said Trust; (except what shall be settled and allowed by the Commissioners, or any four of them) and that he will not, directly or indirectly, have any Part, Share or Interest; or make any Benefit by any Discovery of any forfeited or forfeitable Estate or Interest whatsoever, intended to be apply'd to the Use of the Publick in Pursuance of this Act, or conceal, or cause or procure to be concealed, the same, or any Part thereof: Which Oath any two of the Commissioners may administer.

XII. *Sett.* 9. If any of the said Commissioners, Registers, &c. shall presume to act before he shall have taken the Oaths by this Act appointed, and in Manner hereby prescribed, he shall forfeit to his Majesty, 200 l. to be recover'd in any Court at *Westminster*, or in the Court of Exchequer in *Scotland*, by Action of Debt, &c. in which no Essoin, &c. or more than one Imparance shall be allowed.

XIII. *Sett.* 10. Provided, That no Commissioner, Register, &c. who shall have taken the Oaths prescribed by this Act, to qualify himself for executing the same, shall be liable by Reason of such Execution, to any Penalty, Forfeiture or Disability, prescribed by any other Acts, for not qualifying himself to execute his Trust upon this Act.

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XIV. *Seff. 11.* Any four of the Commissioners, residing in *England* and *Scotland* respectively, shall meet, act and proceed from Time to Time, with or without Adjournment; and may send their Precepts for any Persons to appear before them, and for all such Books, Papers, Writings and Records, as they shall think necessary for their Information in Matters relating to this Act, without any Fee or Charge to be paid for the same; and may detain in their Custodies such Books, &c. so long as they shall have Occasion, and then return them to the Persons to whom they belong; and may administer Oaths for the better Discovery of the Truth of the Enquiries by them to be made, to any Persons therein concerned, or other Persons whatsoever: And all Sheriffs, Stewards, Bailiffs, Constables, and other Officers and Ministers are required to obey and execute the Orders and Precepts of any four of the said Commissioners, as they will answer the same at their utmost Perils: And the Commissioners, or any four of them, are empowered, in a summary Way, without the Formalities of Proceedings in Courts of Law or Equity, to enquire and inform themselves, by the Testimony of Witnesses on Oath, Examination on Oath likewise of the Persons interested, and Inspection of Deeds, Writings and Records, or otherwise, according to their Discretions, as soon as conveniently may be, and to make a Registry in Books to be provided for that Purpose, of the Names of all Persons convicted or attainted of High Treason within the Times aforesaid; and of all real and personal Estates by this Act vested in his Majesty by Reason of such Attainder or Conviction; and by whom any such Estates were forfeited and forfeitable; and what Estate or Interest such Persons had in the Premises at the Days and Times from which they are vested in his Majesty, or afterwards; and by what Tenures the same were then holden; and of all Incumbrances thereon: And in Case any Persons summoned by the Commissioners as aforesaid, neglect to appear, it shall be lawful for any four of the Commissioners to commit such Persons to the Common Gaol of the County, &c. there to remain without Bail or Mainprize, till they conform themselves and submit to be examined; and if any Officers shall not obey the Precepts and Orders of the Commissioners, it shall be lawful for any four of them to impose any Fine upon such Officers, not exceeding 40*l.* for any one Offence, and to commit such Officers as aforesaid, till such Fine be paid into the Exchequer of *England* or that of *Scotland*, for the Use of the Publick.

XV. *Seff. 12.* Persons indebted or liable to pay any Money to any forfeiting Persons, who shall, after the 24th of *August*, 1716, and before the 24th of *November*, 1716, make a full Discovery to the Commissioners, of any concealed Debt, due to any Person attainted, (not being a Debt by Judgment, Statute,

Recognizance, or on any register'd Bond or Contract) and pay two Thirds thereof at or before the 24th of *November*, 1716, into the Exchequer in *England* or *Scotland* respectively, for the Use of the Publick, shall be discharged of the intire Debt; but such Persons not making such Discovery as aforesaid, shall forfeit double the Value of such Debt, to be recover'd by Action, &c. to the Use of the Publick: And all Persons who were, have been, or shall have been, possessed of any Personal Goods or Chattels, belonging to any Persons convicted or attainted as aforesaid, when the same became forfeited or afterwards, or shall be thereof possessed before the said 24th of *November*, 1716, are required to discover the same before that Day to the Commissioners, or any four of them, who shall allow to every such Discoverer such Proportion as they shall think reasonable for such Discovery, not exceeding one full fourth Part of the said Personal Goods and Chattels; but every Person, having such Goods, &c. in his Possession, and neglecting to discover the same as aforesaid, shall forfeit double the Value thereof, to be recovered to the Use of the Publick, as aforesaid: And any four of the Commissioners are empower'd to make any Compositions or Agreements touching any such Debts or personal Estates, so to be discover'd, on Consideration of the Nature thereof, and Circumstance of the Parties concerned therein, as they shall think reasonable; which Compositions and Agreements shall be valid in Law, so as the Monies payable thereon be paid into the Exchequers of *England* or *Scotland*, to the Use of the Publick, within the Times allow'd by the Commissioners for Payment thereof; and where any of the said Debts are secured by Penalties, or due on Accounts not adjusted, any four of the Commissioners may state and settle the same: And every Person, not so indebted, or not possessed of such personal Estates, who shall, after the 24th of *November*, 1716, discover to the Commissioners any such Debts or personal Estates, concealed till the Time of such Discovery, shall be entitled to have for his Reward, so much as the Commissioners, or any four of them, shall judge reasonable, not exceeding one fourth Part of such Debts or personal Estates, or of the Value thereof so discovered, after Recovery, to be paid over to him by Warrant of the Commissioners. And every Person who shall, after the 24th of *August*, 1716, and before the 24th of *June*, 1717, discover to any four of the Commissioners, any Lands, Tenements, Rights, Hereditaments, or Chattels real, forfeited as aforesaid, and concealed till the Time of such Discovery, shall be entitled to have for his Reward such Proportion of the said Lands, &c. as the said Commissioners shall judge reasonable, not exceeding one fourth Part thereof, or of the Value, after Recovery of the same: And any four of the Commissioners shall give Certificates under their Hands and

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Seals, to every Person making such Discovery as aforesaid, specifying the Lands, &c. by him discovered, and the Part he ought to have in Respect thereof, that Provision may be made for assuring such Part to such Discoverer, his Heirs, &c. in any future Act to be made concerning the Premises.

XVI. *Stat. 13.* All Persons, Bodies Politick and Corporate, (other than such forfeiting Persons, their Heirs, &c. and all Persons claiming in the Premises, to the Use of, or in Trust for, such forfeiting Persons, or their Heirs, &c. and such who have or may claim any Estate in Reversion or Remainder, expectant on the Determination of any Estate-tail, whereof any forfeiting Person was seised on the 24th of June, 1715, or at any Time since) having any Estate, Right, Title, Interest, Use, Trust, Possession, Reversion, &c. in, to, out of, or upon, any of the said real or personal Estates, or any other the Premises, in Great Britain, Ireland, or elsewhere, by or under any Settlement, Judgment, Statute, Recognizance, Extent, or other Debt, Charge or Incumbrance, affecting the same Estates before the Days and Times whereon the same are vested in his Majesty, shall, by the 24th of June, 1717, enter all their Claims before the Commissioners in England or Scotland respectively, in the Manner hereafter mentioned; or in Default thereof every such Estate, &c. shall be null and void; and the Estates liable thereto shall from thenceforth be freed and discharged from the same; and all such Claims of Infants shall be made by their Fathers, Guardians, or other Persons on their Behalf; of Females covert by their Husbands; of Madmen, Ideots and Lunatics, by those in whose Care or Custody they are at the Time of entering such Claim: And all such Claims shall be tender'd to the Commissioners, written in Parchment, and signed by the Party making the same, or such other Person in his Behalf as aforesaid; and such Signing shall be testify'd by two or more credible Witnesses, who shall subscribe their Names; and every Claimant shall therein particularly express what Estate, &c. he pretends to have in the Premises, and by what Grant, Gift, Settlement, Conveyance, Security, Title or Incumbrance, he claims the same; and if such Claimant demands any Estate, Right, Title or Interest, by Virtue of any Incumbrance for any Debt or Sum of Money, he shall in his Claim set forth such Incumbrance, and the Dates and Contents thereof, and the Witnesses thereto; and if the same be recorded, when and where it was enter'd on Record, and whether such Debt, &c. was and is really due, and remains wholly unsatisfy'd, or what Part thereof hath been really satisfy'd by Money paid, Perception of Profits, &c. And every such Claim shall be transcribed by Order of the Commissioners, and enter'd in Books to be kept for that Purpose, that the said Claims may be fairly heard and determined

according to such Acts as shall hereafter be passed for that Purpose. [Note, By 3 G. c. 7. *the Time for Claims is enlarged to the first of February, 1717. Vide infra Par. XL.*]

XVII. *Seff. 14.* All Conveyances and Assurances of any Castles, &c. or real Estates, made after the first of *August, 1714*, by any Person convicted or attainted as aforesaid, for his own Use, or the Use of his Wife or any of his Children, or in Trust for himself, his Wife, or any of his Children, (other than such as were made before Marriage; or in Performance of some Covenant or Agreement made and reduced into Writing before Marriage) and all voluntary Conveyances made since the first of *August, 1714*, by any such Person, are hereby declared, and shall for ever hereafter be taken, to be fraudulent.

XVIII. *Seff. 15.* Any four of the Commissioners shall use their utmost Endeavours to secure all such Goods and personal Chattels, in such Places, and in the Custody of such Persons as they shall think most proper, for preventing the Perishing, Loss, or Imbezilment thereof; and shall cause true Inventories thereof to be made, containing a particular Account of all such Goods and Chattels, by whom forfeited, and when and by whom delivered to the Commissioners, or any Persons by them appointed to receive the same; and shall cause an Appraisement thereof to be made by the Oaths of two Persons, to be appointed by any four of them for that purpose; (which Oath any two of the Commissioners may administer) And any four of the Commissioners are authorized to sell all such Goods and Chattels, so inventoried and appraised, according to the Best of their Skill; and for that Purpose shall cause at least three Days publick Notice to be given of the Time and Place when and where they intend to begin to expose any Part thereof to Sale, and of the Particulars then and there to be sold; at which Time they shall sell the same by Cant or Auction to the highest Bidder; and shall immediately cause an Entry to be made in their Books, of all the Goods or Chattels so sold or contracted for, and the Buyers Names and Places of Abode, and the Prices agreed upon; and for farther Assurance to the Buyers, any four of the Commissioners shall give them a Certificate under their Hands and Seals, expressing the Particulars by them bought, together with the Prices and Time of Sale, whereupon every such Buyer shall pay the said Prices into the Exchequer of *England or Scotland* at the Times agreed upon with the Commissioners, for the Use of the Publick; and the Commissioners being satisfy'd with the Payment thereof, shall forthwith order the Particulars to be deliver'd to the Buyer, or his Assigns; and if any Person, having contracted for such Goods or Chattels, shall make Default in Payment, he shall forfeit one Third of the Sum contracted for; and the

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the Commissioners shall proceed to a new Sale of such Goods unto any other Persons, as if no Sale thereof had been before made.

XIX. Sect. 16. All Persons, who are, or before the 24th of November, 1716, shall be possessed of any forfeited Lands, Tenements or Hereditaments, by this Act vested in his Majesty, shall before the said Day, send Notice thereof in Writing to the Commissioners, containing a Particular of the Quantity and Quality of such Lands, &c. and under what yearly Rents, Covenants or Contracts the same are held, and the true yearly Value thereof; and on Default shall forfeit two years Value of the Rents or Profits thereof; and shall pay into the Exchequer in *England* or *Scotland* all the Rents payable for the said Estate, or otherwise account for the Profits of the same, during their Occupation thereof, after the 24th of June, 1716, till such Sale be made thereof.

XX. Sect. 17. All Prosecutions on this Act for the Benefit of the Publick, shall be in his Majesty's Name, by the Attorney-General in *England*, and by the Advocate General in *Scotland*.

XXI. Sect. 18. All Persons who, since the 24th of June, 1715, have enter'd on any of the said forfeited Estates, and enjoy'd the same without any lawful Title, shall be responsible for the Profits during the Time of their Occupation thereof, and shall pay the Value thereof into the Exchequer of *England* or *Scotland* at such Days as the Commissioners shall appoint; or in Default, shall forfeit double the Value of the same Profits by them receiv'd, for the Use of the Publick.

XXII. Sect. 19. Provided, If any such Person shall, on or before the 24th of November, 1716, discover to the Commissioners such Lands, &c. so by them enjoy'd, (the same being concealed till such Discovery) every such Person shall be discharged from any Account of the Profits thereof, received before the said 24th of November.

XXIII. Sect. 20. All Persons who, since the 24th of June, 1715, have committed, or before the Sale of such Premises in Pursuance of any other Act, shall commit any Waste on the said Estates, by cutting down Timber or other Trees, Woods, Groves, Coppices, or otherwise, shall pay treble Damages for the same, to be ascertain'd by any four of the Commissioners; who, for the speedy Levying thereof, shall under their Hands and Seals certify the Damages so by them ascertain'd into the Exchequer; for Recovery whereof to the publick Use the like Execution shall issue as in Case of a Debt due to his Majesty.

XXIV. Sect. 21. The Commissioners, or any four of them, shall, if required, give a particular Account in Writing, to the King and both Houses of Parliament, of the Effect of their Enquiries, and of their Proceedings in Execution of this Act.

with Respect to the said forfeited and forfeitable Estates and Interests, to the End such further Acts may be made for determining the said Claims, and Disposal of the said forfeited Estates for the Use of the Publick, and for settling other Matters and Things concerning the same, as shall be thought proper in that Behalf.

XXV, *Stat.* 22. Any four of the Commissioners are empowered and required, in a summary Way, and without the Formalities of Proceedings in Courts of Law or Equity, to enquire and inform themselves of the Names of all Persons, who, during the Continuance of the said Commissioners in the Execution of this Trust, shall stand convicted as Popish Recusants in *England, Wales, or Berwick*; and of all Lands, Tenements, Hereditaments, Leases, and Farms, which such Recusants, or any for their Use or in Trust for them, stand seized of, and of the Parishes or Townships where the same do lie, and the Tenants or Occupiers Names, and the Rents reserved, and of the utmost improved Values by the Year, and of any other Matters, whereby the said Estates, and the Values thereof, may be described with most Certainty; and of the respective Interests which any such Popish Recusants convicted, or any Persons to their Use or in Trust for them, have therein; and how much the two third Parts thereof, liable to Seizure for such Recusancy, amount unto: And particularly the said Commissioners shall enquire what Papists, or Persons educated in the Popish Religion, or whose Parents profess the same, shall not take the Oaths, and make and subscribe the Declaration, prescribed by any other Act of this Session for them to take and subscribe, within the Times thereby appointed; or, in Default thereof, shall not register their Names and Estates in the Manner prescribed by such Act, within the Times thereby limited; and what Lands, &c. shall by such Act be forfeited for Default of taking the said Oaths, and making and subscribing the said Declaration, or for not registering, as aforesaid, and of the Proportions of such Forfeitures accruing to the King for the Use of the Publick: And the said Commissioners may, without Fee or Charge, send for Persons, Books, Papers, Writings and Records, and detain them so long as they shall have Occasion, and then return them to such Offices or Persons to whom they belong; and may administer Oaths, and do all other Matters for discovering and ascertaining the said Lands, &c. of Popish Recusants convicted, or such Estates as shall be forfeited for Default of Registering, &c. as freely and fully, as they may do by this Act, for discovering Estates forfeited for High Treason; and for that Purpose the Clerks of the Privy Council, the proper Officers of the Court of Exchequer of *England*, and the Clerks of the Peace in *England, Wales, and Berwick*, and all other Officers and Persons whom it may concern, are required

to obey and execute such Orders and Precepts, as shall be sent them by any four of the said Commissioners, as they will answer the Contrary at their utmost Perils; And if any Officer or Person shall not appear before the said Commissioners on reasonable Summons, or shall not give due Obedience to their Orders and Precepts, it shall be lawful for any four of the Commissioners to impose a Fine on such Officer or Person, not exceeding 40 l. for any one Offence; and to commit him to the Common Gaol till such Fine be paid into the Exchequer, for the Use of the Publick.

XXVI. *Stat. 23.* The Commissioners shall cause fair Entries to be made in Books to be kept by them for that Purpose, of all their Proceedings in Execution of this Act, in Relation to the Estates of Popish Recusants, and the Shares thereof to accrue to the publick Use; and, if required, shall give a particular Account in Writing to the King and both Houses of Parliament, of the Names of such Recusants, and of the Values of those Estates, to the End that a farther Course may be taken in Parliament concerning the same.

XXVII. *Stat. 24.* All Manors, Lands, Tenements, &c. and all Mortgages, Securities, Sums of Money, Goods, Chattels, and Estates whatsoever, in *Great Britain*, which have been given, granted, devised, bequeathed, or settled upon Trust, to the Intent the same, or the Profits thereof, might be enjoy'd by any Abbey, Priory, Convent, Nunnery, College of Jesuits, or Seminary, or School for Education of Youth in the *Romish Religion*, in *Great Britain*, or elsewhere, or for any other Popish or superstitious Uses, shall be forfeited to his Majesty, and are hereby vested in his actual Possession, for the Use of the Publick, without any farther Office or Inquisition thereof hereafter to be found.

XXVIII. *Stat. 25.* Any four of the Commissioners shall in a summary Way as aforesaid, inform themselves by the Testimony of Witnesses on Oath, Examination of Persons interested on their Oaths, Inspection of Deeds, or by any the said Ways, or otherwise, of all real and personal Estates hereby vested in his Majesty, and of the yearly and other Rents and improved Values thereof, and of the Names of the Persons who gave, granted or devised such Estates, and of all Incumbrances, in Law or Equity, to which such Estates are liable: And the Commissioners may send their Precepts for any Trustee or other Person to appear before them, and for all such Deeds, Evidences, and other Writings as they shall think necessary for their Information in any Matters relating to the Discovery of any Estates or Interests settled or given to any such Popish or superstitious Uses; and may administer Oaths, and do all other Matters for discovering and ascertaining the Estates and Interests

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rests so given or settled, and the Values thereof, as fully as they can by this Act do for discovering Estates forfeited for High Treason: And if any Trustee or other Person shall refuse to appear before the Commissioners on reasonable Summons, or to be examined, or shall not give due Obedience to the Commissioners Precepts, it shall be lawful for any four of the Commissioners to impose a Fine on such Trustee or other Person, not exceeding 40 *l.* for any one Offence, and to commit such Offender to the Common Gaol till the Fine be paid into the Exchequer for the Use of the Publick.

XXIX. *Stat.* 26. Every Trustee, who at any Time after the 24th of *August*, 1716, and before the 24th of *November*, 1716, shall discover to the Commissioners any real or personal Estate given to superstitious Uses, shall have one fourth Part of such personal Estate, consisting of Money, &c. when received or recovered, in Reward of such Discovery; (for Payment whereof any four of the Commissioners shall issue their Warrant to the Persons who ought to pay the same) and shall be entitled to one fourth Part of such real Estates so discover'd by any Trustee; to whom any four of the Commissioners shall give a Certificate of his Discovery of such Estate, that Provision may be made in Parliament for securing to him, his Heirs, &c. the said fourth Part thereof; and moreover, such Trustee shall not be answerable for any Rents or Mesne Profits by him received: And if any other Person, after the 24th of *November*, 1716, and before the 24th of *June*, 1717, shall discover to the Commissioners any such real or personal Estates, concealed till such Discovery, he shall in Reward thereof be entitled to the like Shares thereof, as any Trustee might have had, in Case he had made such Discovery before the 24th of *November*, 1716; and in such Case every such Trustee, for concealing such Estate, shall be liable to answer to his Majesty, for the Use of the Publick, all the Profits of the same Estate, which became due while he enjoy'd the same, or received the Rents thereof: And the Commissioners are impower'd to secure all Goods and personal Chattels, given to such superstitious Uses as aforesaid, and to inventory the same, and to cause Appraisements thereof to be made, on the Oaths of any two Persons, and then to sell the same in such Manner as they are hereby appointed to sell the Goods, &c. forfeited for High Treason; and to cause the Proceed thereof, or so much of the same as is to arise for the Use of the Publick, to be paid into the Exchequer; and they are also to use their utmost Endeavours to cause the Rents and Profits of real Estates given to superstitious Uses, or such Parts thereof as are to go to the Use of the Publick, to be brought likewise into the Exchequer for that Use.

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XXX. *Seft.* 27. The Commissioners shall cause fair Entries to be made in Books, to be kept by them for that Purpose, of all their Proceedings in Relation to such Estates as aforesaid; and shall, when required, give a particular Account to the King and either House of Parliament, of the same Estates and the Values thereof; to the End a farther Course may be taken in Parliament concerning the same, for the Benefit of the Publick.

XXXI. *Seft.* 28. The Powers hereby given to the Commissioners shall not determine by the Deaths of any one or more of them; and in Case of such Death, the Survivors (being four or more, to reside in *England*, and as many in *Scotland*) shall execute all the Trusts, &c. in this Act, as fully and effectually as the whole Number of Commissioners, or any *Quorum* of them might do, if they were all living.

XXXII. *Seft.* 29. Every Commissioner shall have a Salary of 1000 *l. per Annum*, to commence from the 24th of *June*, 1716, and to be paid quarterly during his Continuance in the Execution of the Trusts hereby reposed in him; and there shall be paid to such Persons as any four of the Commissioners shall nominate, by Way of Imprest and on Account, to pay the Salaries of inferior Officers and for incident Charges, such Sums of Money as the Treasury shall judge necessary and reasonable in that Behalf; who are to cause the same to be issued and paid at the Exchequer in *England* and *Scotland*, out of such Monies as shall be brought in thither for the Publick Use, by Virtue of this Act: And the Commissioners and their inferior Officers Salaries shall not be liable to any Taxes.

XXXIII. *Seft.* 30. All the Monies to arise to his Majesty out of the several Estates by this Act intended to be enquired into (other than so much as is hereby authorized to be issued for the Commissioners Salaries, for incident Charges, or for Rewards to Discoverers, &c.) are and shall be appropriated to the Use of the Publick, and apply'd thereto by Parliament.

XXXIV. *Seft.* 31. All heritable Jurisdictions, commonly called Constabularies, Regalities or Admiralties, which, on the 24th of *June*, 1715, were in the Possession of Traitors whose Estates are to be enquired of, and which are or shall become forfeited within the Times above limited, shall, from the first of *November*, 1716, be suppressed and extinguished; so that from thence it shall not be lawful to sell or grant, by any Conveyance whatsoever, any of the said forfeited heritable Jurisdictions, to any Person or Family, nor to erect any such heritable Jurisdictions in their Room.

XXXV. *Seft.* 32. The several forfeited Sheriffships and Stewartries shall subsist with the same Powers and Privileges, which belonged to them at the Time of the Forfeiture; and

are declared to be annexed to the Crown, so as not to be alienated, by any Gift or Grant, otherwise than to such Persons as his Majesty, &c. shall think fit to grant them, during Plea-
sure only.

XXXVI. *Stat. 33.* The several Places, Towns, Villages and Bounds which were subject to the said Jurisdictions, to be suppressed as above, shall become subject to the several Sheriffships and Stewartries in the Bounds of which they lie, in the same Manner that the other Places, &c. which were not erected in, or made subject to, Constabularies or Regalities, are subject to their respective Sheriffships and Stewartries; and the Places and Bounds subject to the Admiralties or Vice-Admiralties, which are forfeited and suppressed as above, shall become subject to the immediate Jurisdiction of the Court of Admiralty established in *Scotland*, and reserved by the Articles of Union.

XXXVII. *Stat. 34.* None of the Commissioners hereby constituted shall be deemed incapable of sitting in Parliament, or incur any Penalty or Disability for putting this Act in Execution.

XXXVIII. *Stat. 35.* If any Action, &c. be brought or prosecuted against any Person for what he shall do in Pursuance of this Act. he may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff be nonsuit, forbear Prosecution, suffer a Discontinuance, or a Verdict pass against him, the Defendant shall recover treble Costs.

XXXIX. *Stat. 36.* It shall be lawful for his Majesty, in such Manner as to him shall seem meet, to make Provision for the Maintenance and Support of the respective Wives of the late Duke of Ormond, Earl of Mar, and Viscount Bolingbroke, and for raising Portions for their respective Daughters out of the Estates real and personal, forfeited by the said late Duke, Earl, and Viscount: And such Grants shall be good and valid, notwithstanding any Coverture of their Husbands, or any Clause, &c. in this or any other Act of Parliament.

XL. *Stat. 3 G. c. 20. Stat. 1.* The Time for making such Claims and Demands, as by the Act 1 G. c. 50. for appointing Commissioners to enquire of the Estates of certain Traitors, &c. are required to be made, (*Vide supra*, Par. XIII.) shall be enlarged to the first of February, 1717, and all Persons who shall make such Claims and Demands on or before the first of February, 1717, to any four of the said Commissioners, who are required to receive and enter the same, shall have the same Benefit and Advantage thereof, to all Intents whatsoever, as if such Claims or Demands had been made within the Time by the said Act of 1 G. limited. [*See the Time farther enlarg'd, infra*, Par. LXXXIV.

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XLI. Sect. 2. All Persons residing in *Ireland*, or having any Claims on forfeited Estates there, making and tendering such Claims on or before the said first of *February*, 1717, to one or more of the Commissioners, who shall be in *Ireland* for that Purpose; or in their Absence, to any Person who shall be authorized under the Hands and Seals of any four of the said Commissioners, shall have the like Benefit and Advantage thereof, as if such Claims had been made within the Time, and in the Manner, by the said Act limited and appointed.

XLII. Sect. 3. All Claims made by Trustees for any Creditors or Childrens Portions, shall be as effectual as if the said Creditors or Children had claimed the same: And all Claims made by any Children, Creditors, or other *Cestui que trust*, shall be as good and valid, as if the said Trustees for such Children and Creditors had made and joined in the same.

XLIII. Sect. 4. The Commissioners of the Treasury, &c. in *Great Britain*, are authorized to cause such Sums of Money as shall be judged reasonable, to be issued at the Receipt of the Exchequer in *England* and *Scotland*, or either of them, to such Persons as the Commissioners constituted by the Act 1 G. c. 50. or any four of them, residing in *England* or *Scotland*, shall nominate, by Way of Imprest and on Account, to pay the Salaries of inferior Officers and incident Charges, out of any Supplies granted to his Majesty this Session of Parliament; which shall be replaced out of such Money as shall arise, by Sale or otherwise, out of the forfeited Estates.

XLIV. Stat. 4 G. c. 8. After reciting the Act of 1 G. c. 50. for appointing Commissioners to enquire of the Estates of certain Traitors, &c. it is enacted, Sect. 1. That all and every the Castles, Honours, Lordships, Manors, Messuages, Lands, Tenements, Rents, Reversions, Services, Remainders, Possessions, Royalties, Franchises, Jurisdictions and Privileges whatsoever, and all Appurtenances to any of them belonging; and all Rights of Entry, Rights of Action, Titles, Conditions, Uses, Trusts, Powers and Authorities, and all Leases for Life, Lives, or Years, Possessions, Annuities, Rents, Charges, and Hereditaments whatsoever, and of what Kind soever; and all Debts, Securities for Debts, Goods, Chattels and personal Estates whatsoever, not disposed of according to the Direction of the said Act of 1 G. c. 50. in *Great Britain*, *Ireland*, or elsewhere, which by the said Act were vested in his Majesty, &c. for the Use of the Publick, shall be vested, settled and taken to be in the actual and real Possession and Seisin of *Richard Grantham Esq;* *George Treby Esq;* *Arthur Ingram Esq;* *George Gregory Esq;* *Sir Richard Steele Knight*, *Sir Henry Hoghton Baronet*, *Patrick Haldane Esq;* *Sir Thomas Hales Baronet*, *Robert Munro Esq;* *Henry Cuningham Esq;* *Denis Bond Esq;* *John Birch Esq;* *Serjeant*

at Law, and Sir John Eyles Baronet, nominated and appointed for putting in Execution the Powers, as well in the said recited Act not executed, as those in this Act contained, and their Heirs, &c. from the 25th of March, 1718, according to the several Estates and Interests vested in his Majesty by the said Act, to the End the same may be sold and apply'd by the said Trustees, and the Survivors of them, for the Uses in the said Act, or herein after declared.

XLV. *Sec.* 2. The said Commissioners and Trustees, or any four or more of them, to be residing in *England, Scotland or Ireland* respectively, shall summon by their Precepts to be issued for that Purpose, all Parties Claimants, and such other Persons as they shall think proper, to give Evidence concerning the same, to appear before them, at such Days and Times as they shall appoint, to attend the Determination of the respective Claims; and on the Appearance of such Party Claimant, or his lawful Attorney; or after Notice given to the Commissioners and Trustees that such Precepts have been served, by leaving the same at the Place of their Abode, or in Case no Place of Abode can be found, by inserting such Notice in the *London Gazette* or *Edinburgh Courant*, or *Dublin Gazette*, twenty Days before the Time appointed for deciding such Claim, the said Commissioners and Trustees are empowered to proceed in a summary Way, by Testimony of Witnesses on Oath, Examination of Persons claiming, or otherwise interested, on their Oaths, Inspection and Examination of Deeds, Writings and Records, or otherwise, according to the Circumstances of the Case or Parties claiming, as soon as conveniently may be, to hear and determine all Claims, which shall be enter'd within the Times aforesaid, before the 25th of March, 1719: Which Oaths the Commissioners and Trustees, or any four of them, may administer; and for preventing any Surprize therein, they are to appoint some reasonable Time when they intend to proceed on any Claim.

XLVI. *Sec.* 3. Every Claimant shall, if required by the Commissioners and Trustees, answer upon Oath to the Truth of his Claim, and to such Interrogatories as they shall think fitting for the clearing thereof, and produce on Oath all such Deeds and Writings as are in his Custody and Power any Way concerning the said Claim: Which Oath, as well to the Claimant as to the Witnesses to the Deeds, by Virtue whereof he makes his Claim, any four of the Commissioners may administer: And all Persons are required to appear and be examined, under the Penalty, to the Claimant, of having his Claim dismissed; and under the Penalties mentioned in the Act: &c. 50. to be incurred by such Persons as shall neglect to appear and be examined before the said Commissioners, and which they are hereby declared to incur.

XLVII. *seff.* 4. The Affidavits of such Claimants and Witnesses, in Matters relating to the Proof of such Claims, may be taken before any of the Judges in *England* and *Ireland*, and before any of the Judges of the Courts of Session, Justiciary, or Exchequer in *Scotland* respectively, that is to say, where the Claimants and Witnesses relating to Estates or Interests in *England*, reside in *Scotland*, or *Ireland*, before the Judges or Barons in *Scotland* or *Ireland*; and where the Claimants, &c. relating to Estates, &c. lying in *Scotland*, reside in *England* or *Ireland*, before the Judges or Barons in *England* or *Ireland*; and where the Claimants, &c. relating to Estates, &c. lying in *Ireland*, reside in *England* or *Scotland*, before the Judges or Barons in *England* or *Scotland*, and not otherwise.

XLVIII. *seff.* 5. It shall be lawful for any four of the said Commissioners and Trustees, to examine any Claimant or Witness, *viva voce*, if they see Cause.

XLIX. *seff.* 6. Any four or more of the Commissioners shall be a Court of Record, and every Judgment, Determination or Decree which they shall make, shall be fairly enter'd of Record in Books of Parchment, to be kept by them for that Purpose, and shall be final and decisive, and binding to all Parties concerned, their Heirs, &c. Except the Party Claimant shall enter his Appeal against such Judgment, &c. within twenty Days after the same shall be made, in Manner herein after directed.

L. *seff.* 7. Every Claimant or Creditor, who shall not acquiesce in the Judgment, &c. of the said Commissioners within twenty Days after such Judgment, &c. shall be passed, may appeal from the Decree of the Commissioners, and present such Exceptions to the same as he shall think fit to take, to any four of the Commissioners, subscribed by the Appellant, or his lawful Attorney; and the Commissioners are required to cause the same to be enter'd in Books for that Purpose; and shall with all convenient Speed transmit a Transcript thereof, and of the Judgment or Decree of the Commissioners, under their Hands and Seals, to the Court of Delegates herein after mentioned, for hearing and determining the same; and shall cause proper Defences to be made on such Appeals, on Behalf of the Publick.

LI. *seff.* 8. It shall be lawful for his Majesty, by Commission under the Great Seal of *Great Britain*, to nominate and authorize any five of the Judges of *England* or *Scotland*, and by Commission under the Great Seal of *Ireland*, any five of the Judges of that Kingdom, (the major Part to be a *Quorum*) to be a Court of Delegates and of Record, who shall in a summary Way, without the Formality of Proceedings in Courts of Law or Equity, and as soon as possible, finally hear and determine

mine such Appeals, and affirm, repeal, alter or reverse the Judgments or Decrees of the Commissioners; and the said Decrees and Judgments of the Delegates shall be absolutely final, decisive and binding to all Parties, their Heirs, &c. and to all Persons claiming by Means of any Act or Thing done before the Time of such first Judgment or Decree; and shall by the said Courts of Delegates be forthwith remitted to the said Commissioners and Trustees for the Purposes herein after contained; and all such Courts may sit, when, where, and as often as they shall think fit, with, or without Adjournment. All which Appeals by the said Courts of Delegates shall be finally heard and determined before the 24th of June, 1719.

LII. *Sett.* 9. If any Person shall knowingly and fraudulently claim under any forged Deed, or satisfy'd Security, Mortgage or Incumbrance, and shall so far insist thereon as to appeal to the Delegates, and the same be adjudged against him, such Person, being thereof convicted by due Course of Law, shall forfeit the Value of the Estate, Debt, or Thing so wrongfully claimed, to be ascertained by the Commissioners; and if any Witness shall be wilfully and corruptly forsworn, in Order to support such Claim, he shall incur the Penalties enacted in Case of wilful and corrupt Perjury, according to the Laws of England, Scotland or Ireland.

LIII. *Sett.* 10. Where the Claim determined to be just and lawful, contains a Demand of any Sum of Money affecting the forfeited Estates, in such Case the Commissioners are hereby expressly required to issue out Debentures to the Claimants for the respective Sums which shall be determined to be due to them, either by the Decrees of the Commissioners, where the Claimants shall acquiesce in them, or by the Decrees of the Delegates: Which Debentures, with legal Interest, shall be paid in the first Place, without any Deduction, Fee or Reward, at the respective Exchequers, out of such Rents and Profits as shall be paid into the said Exchequers from the respective Estates on which the said Claims are allow'd. Provided, That no such Decree in Favour of any Claimant, or Debenture to be issued thereon, shall contain any Sum on Account of Penalties for Want of Payment at the Day it became due, or for any other Reason.

LIV. *Sett.* 11. Where the Claim shall contain a Demand of any real Estate, or any Interest therein, and shall be adjudged just and legal; then any four of the Commissioners are required to issue their Precept to the Sheriff or other proper Officer in the respective County or Stewartry where the Estate lies, commanding him to cause Possession to be delivered to such Claimant, his Heirs, &c. and every such Claimant, his Heirs, &c. shall enjoy the same for such Estate and Interest therein, as shall be adjudg'd as aforesaid.

LV. 388. 12. After the 25th of *March*, 1718, the Commissioners and Trustees, or any four of them, shall sell all the Estates vested in them as aforesaid; that is to say, such of the said Estates for which no Claim has been, nor shall be enter'd within the Times limited for that Purpose, as soon as may be after the said 25th of *March*; and such of the said Estates concerning which any Claim has been enter'd, as soon as conveniently may be after the said Claims are determined; the said Sales to be made to any Persons, being Protestants, Bodies Politick or Corporate, their Heirs, &c. (other than the said Commissioners, or their Officers, or any others in Trust for them) who shall become Purchasers thereof; and in Order thereto the Commissioners shall cause publick Notice to be given, by the Space of fifteen Days at least, of the Time and Place, when and where they intend to expose to Sale any Part of the Premises, and at such appointed Time shall expose the same to Sale in such Proportions as they shall think fit, by Cant or Auction; setting up the same at such Price as the Commissioners shall think fit; and the Person who shall bid most, over and above the Price so set thereon by the Commissioners, shall be the Purchaser; and any four of the Commissioners residing in *England* and *Scotland* respectively, shall immediately upon every such Sale or Contract, cause an Entry to be made in their Books of the particular Estates so sold, and what Estate or Interest they sell therein, and of the Buyers Names and Places of Abode, and the Prices agreed upon: And for the farther Satisfaction of such Buyers, if they insist thereon, the Commissioners shall give them a Note in Writing under their Hands and Seals, expressing the Particulars by them bought, and for what Estate or Interest therein, and the Price thereof, and the Time of such Sale; and thereupon every Buyer shall pay the Price agreed upon into the Receipt of the Exchequers in *England* and *Scotland*, at such Time as any four of the Commissioners shall appoint, who being certify'd of the Payment thereof into the respective Exchequers, shall execute an Indenture of Bargain and Sale of the Parcels so bought and paid for to every such Buyer, for such Estate or Interest therein as the said Commissioners shall have contracted to sell the same; which Indenture shall particularly recite the Consideration given, and shall thereof discharge every Purchaser, his Heirs, &c. and shall immediately thereupon be enter'd and transcribed in Books to be provided for that Purpose, and shall be then deliver'd to such Purchaser as aforesaid; who shall cause the same to be inrolled in the Chancery in *England*, and the Chancery-Office in *Scotland* and *Ireland* respectively, within six Months after the Date thereof, paying for the Enrolment 6 s. 8 d. for every Skin of Parchment, and no other Fee or Reward; and a Docket thereof shall be enter'd in the Auditor's

Office of the Courts of Exchequer in *England*, *Scotland* or *Ireland* respectively, paying 12 *d.* only for entring.

LVI. *Sett.* 13. It shall be lawful for any Persons, being Protestants, Bodies Politick or Corporate, other than the said Commissioners and their Officers, or others in Trust for them, to purchase any of the Estates vested in the Trustees, and to retain and keep the same to them, their Heirs, &c.

LVII. *Sett.* 14. All Persons, Bodies Politick and Corporate, their Heirs, &c. making any such Purchase, and having such Conveyance, and causing it to be enrolled, as aforesaid, within six Months after the Date thereof, shall be hereby adjudged to be in the actual Seisin and Possession of such Parts or Parcels of the Premises as shall be so purchased and conveyed: And the Commissioners are impower'd, if Need be, to issue out their Precepts to the Sheriffs and other proper Officers, in the respective Counties and Stewartries where the same lie, commanding them to cause Possession to be deliver'd to such Purchasers, their Heirs, &c. or to whom they shall appoint: And every such Purchaser, his Heirs, &c. shall hold and enjoy the same for such Estate therein as shall be convey'd by the said Trustees, freed and discharged from all Arrears of Quit-Rents, Crown-Rents, Feu-Duties and Chiefties, at any Time accrued or to grow due before the Date of such Conveyances; and from all other Claims and Demands of his Majesty, &c. and of the said Commissioners and Trustees, their Heirs, &c. and of all other Persons whatsoever, other than such Claims and Demands which shall be allowed by the said Commissioners or Delegates, as aforesaid, and also discharged of any Breach of Trust, which can be pretended to be committed by the Trustees, in not strictly pursuing the Powers and Directions given by this Act: Nevertheless the said forfeited Estates shall, after such Sales, be held of his Majesty, his Heirs and Successors, viz. such of them as lie in *England*, and are held of the King in Right of the Crown, as of his Majesty's Manor of *East-Greenwich* in *Kent*; and such as are held of the King in Right of his Duchy of *Lancaster*, as of his Majesty's Manor of *Esfield* in *Middlesex*, by free and common Socage Tenure; and such as lie in *Scotland* by the Tenure there called *Blanch-Holding*; and such as lie in *Ireland*, as of his Majesty's Castle of *Dublin*, by free and common Socage-Tenure; and shall be subject from the Date of such Sale or Conveyance, to such Crown-Rents, Duchy-Rents, Quit-Rents, Feu-Duties, and Chiefties, issuing thereout respectively, as the same were liable to on the 23d of *June*, 1715.

LVIII. *Sett.* 15. All the Crown-Lands whereof any attainted Persons were seized or possessed on the 24th of *June*, 1715, by Virtue of any Lease or Grant from the Crown, or in Right of any Office now in the Disposal of his Majesty, shall remain in the

the Possession of the Crown, and continue to be the Salaries of the Offices to which they belong, according to the respective Appropriations and Appointments of the same.

LIX. *Seff.* 16. If any Persons, who shall have contracted for any Purchase as aforesaid, shall not, within the Time appointed, pay the Money contracted for, they shall forfeit one fifth Part of the Consideration-Money; and the Commissioners may proceed to a new Sale of all such Lands, &c.

LX. *Seff.* 17. It shall be lawful for the Commissioners and Trustees, to sell any such Part of the forfeited Estates, as may be sufficient to clear any Debts, Charges, or Incumbrances to which they may happen to be subject; or to sell the same, subject to such Debts, &c. as shall be allowed by the said Commissioners or Delegates, on hearing any Claim thereto as aforesaid: And in Case any the Estates hereby directed to be sold, stand charged with any Rent-Charges or other Rents, and the same shall be found necessary and convenient by the Commissioners, to be sold in Parcels, and the whole Estate so charged shall not be sold together, then the said Commissioners are required, indifferently and according to the best of their Discretion and Judgment, to apportion such Rent-Charges or other Rents issuing thereout; and from thenceforth such Rent-Charges or other Rents, shall be chargeable on and recoverable out of the Lands so purchased, only according to such Apportionments.

LXI. *Seff.* 18. The Commissioners are impower'd to appoint Stewards, Receivers, Bailiffs or Factors, on the said forfeited Estates, with full Power to let and set the same, and to receive the Rents and Profits, and to grant Discharges and Acquittances thereof, and to hold Courts, and to pass Decrees for Payment of Rents, and to put the said Decrees in Execution, and to do all Acts and Things necessary for managing the said Estates, usually done by Stewards, &c. according to the Laws of England, Scotland or Ireland; the Pays or Salaries of which Stewards, &c. shall not exceed the twentieth Part of the Rents and Profits of the forfeited Estates to which they shall be respectively appointed.

LXII. *Seff.* 19. Every such Steward, &c. before he enters on his Office, or be capable to perform any Part thereof, shall, under the Penalty in the Act 1 G. c. 50. take the Oaths by that Act appointed to be taken by every Officer acting under the said Commissioners; and shall give Bond to his Majesty, for a Sum not less than two Years Rent of such Estate over which he shall be appointed Steward, &c. with sufficient Security for Payment thereof, in Case he fail to pay into the Exchequers, at such Days and Times as he shall be required by the Precept of the Commissioners, all Sums by him received out of the Estate on which he shall be appointed Steward, &c. and to ac-

count for all such Sums as shall remain due in the Hands of the Tenants at the Time of his Accounting, by producing Evidence that he hath used all due and lawful Diligence for Recovery thereof; and every Steward, &c. shall be fully discharged by the said Exchequers, on his Paying and Accounting as aforesaid.

LXIII. Sect. 20. Every Sequestration, Suspension, Arrestment, and other Act and Decree, made and passed by any Court of Judicature, since the 24th of *June*, 1715, or which shall hereafter be made or passed otherwise than according to the Directions of this Act, whereby any Right, Title or Interest into or out of any the said forfeited Estates, hath been determined in Favour of any Creditor, or Person claiming Interest therein, or whereby any Persons have been entitled to possess any Part of the said Estates, real or personal, or to receive any Part of the Rents and Profits of the same, or without any lawful Title, are hereby declared Void and of no Effect.

LXIV. Sect. 21. The said Commissioners and Trustees are required to call to Account all Persons, their Heirs, &c. who by Virtue of any Sequestration or other Decree passed by any Court of Judicature since the 24th of *June*, 1715, or of any other Right or Title, have taken or retained Possession of any Part of the said forfeited Estates, or have or shall receive or discharge any Part of the Rents or Profits thereof, (not before excepted) due since the 24th of *June*, 1715, for their Possessions or Intromissions with the same, or who have or shall incur any Penalties, or are otherwise indebted to his Majesty, by Verue of this or the said former Act; and on such Appearance, or Refusal or Neglect to appear, the Commissioners are empower'd, in a summary Way, to inform themselves, by the Testimony of Witnesses on Oath, Examination of Persons interested on their Oaths, Inspection of Deeds, Writings, Accounts and Records, or otherwise, to state and settle the Sums due from such Persons, and to direct their Precepts, ordering them, their Heirs, &c. to make Payment of the Money due thereon, into the Exchequer of *England* or *Scotland*, and to deliver up to the Commissioners, or their Order, all such forfeited Goods and Chattels as have been intromitted with or possessed by them, at such Days and Times as the Commissioners shall appoint by their said Precepts; and in Case of Neglect or Refusal to comply with the said Precepts, the Commissioners shall certify the same into the Exchequer, that such Persons may be proceeded against in the Manner after mentioned.

LXV. Sect. 22. The Commissioners shall certify under their Hands and Seals, into the Exchequers of *England*, *Scotland* or *Ireland*, the Names of such Persons as they on Enquiry have found, or shall find, since the 24th of *June*, 1715, to have been,

been, or that now are, in Possession of the said forfeited Estates, or to have received the Rents and Profits thereof, with the Particulars of such Estates, and the annual Rents and Profits thereof, or in any Manner found to be indebted to his Majesty, on Account of the Forfeitures aforesaid; and on every such Certificate the said Courts of Exchequer shall order such Proceedings thereon, as if the same had been duly found by Inquisition.

LXVI. *Stat. 23.* All Grants, Demises, Leases, Confirmations, Restitutions, Assurances and Dispositions, made or granted by any attainted Person, of the said Estates vested in his Majesty, *bona fide*, and for a just and adequate Price, and full and valuable Consideration, and all Debts really and *bona fide* contracted by, and the Money actually paid to, such attainted Persons, or to be attainted within the Times aforesaid, at any Time before the Estates became forfeited, shall be as good and valid in Law, and may be as lawfully claimed and satisfied, as if such Grant, &c. had been made, or such Debt contracted, and Money received, before the said 24th of June, 1715: Provided, That the just and adequate Price, and full and valuable Consideration, and Receipt of Money, be made fully evident by other lawful Proofs than the Deeds or Writings on which such Claim is grounded.

LXVII. *Stat. 24.* All Tenants of the said attainted Persons, who have paid their Rents due after the 24th of June, 1715, and before the Times of their respective Attainders, without Fraud or Collusion, or have since such Attainders paid their Rents to Persons authorized by the Treasury to receive the same, shall be discharged therefrom, on due Proof of such actual Payments made: And the Persons authorized by the Treasury, having accounted, or who shall account for the same with the Treasury, shall be by them discharged: And all other Persons, having received any Rents from such Tenants, or of such forfeited Estates, accounting with the Persons authorized by the Treasury to receive the same, (in which Account they shall have just Allowances) and having made Payment of the Balance thereof, such Payments shall be as effectual as if they had been made by the Tenants themselves into the Exchequer.

LXVIII. *Stat. 25.* The Time for Discovery of any conceal'd Debts, (by any other Person than the Debtor) and for Discovery of other Personal Estates, (otherwise than by such as have been or shall be in Possession thereof for the Use of any forfeiting Person) as also for Discovery of conceal'd Lands, &c. or Chattels real, forfeited as aforesaid, and of Lands, &c. given or settled upon Trust for any Popish or Superstitious Uses, (otherwise than by the Trustees for the same, or their Assignees) shall be enlarged to the 25th of March, 1719; and the

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Discoverers within that Time shall be entitled to all the Benefits and Advantages, in the Act of 1 G. c. 50.

LXIX. *Señ. 26.* When any of the forfeited Estates shall be sold as aforesaid, all the Creditors of Debts affecting such Estates, whose Claims shall be adjudg'd just and lawful, shall, in the first Place, be satisfy'd and paid their Claims on such forfeited Estates.

LXX. *Señ. 27.* If any Persons having any Grants to themselves, or to others in Trust for them, from his Majesty, of the said forfeited Estates, or out of the Rents or Profits of the same, made pursuant to any Act of Parliament, have enter'd their Claims before the Commissioners, which on hearing thereof shall be adjudged just and reasonable, then the Money received by Virtue of such Grants, shall be deemed as so much Money received by such Claimants in Discharge of the Monies or Estate so claimed, Satisfaction having been made for the same, or some Part thereof.

LXXI. *Señ. 28.* It shall be lawful for his Majesty, before the first of *August*, 1718, to make such Provision as he shall think fit for the Wives of forfeiting Persons, not already provided for by any former Act of this Parliament, out of such Rents and Profits of the Estates of their Husbands as shall be paid into the Exchequer, not exceeding such Sums as such Wives would have Right to on the Death of their Husbands, and every such Provision granted by his Majesty shall be good in Law: Provided, That no such Grant shall prejudice any lawful Creditor.

LXXII. *Señ. 29.* All Convictions, Outlawries and Attainders in this Kingdom, of any Persons whatsoever, since the 24th of *June*, 1515, for levying War within this Realm, for conspiring the Death of the King or for any other High Treason, committed before the first of *June*, 1718, within *Great Britain*, or elsewhere, not reversed, or for reversing whereof no Writ of Error hath been or shall be allowed before the 24th of *June*, 1718, shall remain sufficient and effectual in Law for ever, any Error, Insufficiency, or other Defect in Form or Matter in them, to the contrary notwithstanding; and no Judgment on any Writ of Error or Plea shall in any Wise operate to the Prejudice, or to the invalidating of such Convictions, Outlawries and Attainders; and no Writ of Error shall be admitted upon the same, for reversing thereof, except as aforesaid.

LXXIII. *Señ. 30.* The Powers hereby given to the Commissioners shall not determine by the Deaths of one or more of them; and in Case of such Death, the Survivors of them, (being four or more, to reside in *England*, and as many in *Scotland*) shall execute all the Trusts, &c. in this and the aforesaid Act contained, as fully and effectually as the whole Number hereby

by appointed, or any *Quorum* of them, might, if they were all living.

LXXIV. Sect. 31. Each of the said Commissioners and Trustees shall have for his Labour and Service a Salary of 1000 *l.* *per Annum*, to be paid Quarterly by equal Portions, during his Continuance in the actual Performance and Execution of the Trusts hereby, and by the aforesaid A^t reposed in him; and there shall be paid to such Persons as the said Commissioners shall nominate, by Way of Imprest and upon Account, to pay the Salaries of inferior Officers and incident Charges, such Sums of Money as the Treasury shall judge necessary and reasonable in that Behalf: And the Commissioners of the Treasury, &c. shall cause all the said Salaries, and Monies for incident Charges, to be issued at the Exchequers in *England* and *Scotland*, out of such Monies as shall be brought into the same, for the publick Use, by Virtue of any Thing in this or the aforesaid A^t contained; and the said Salaries shall not be liable to any Taxes or Assessments by A^t of Parliament.

LXXV. Sect. 32. Of the Nett Monies which shall arise by Sale of the said Estates and Interests, or by the Rents and Profits thereof till Sale, after Satisfaction of all just Claims, and Payment of the Commissioners Salaries and for incident Charges, and Rewards to Discoverers, and all the Charges of Prosecution relating to the forfeited Estates being re-imburshed, a Sum not exceeding 20000 *l.* shall be appropriated and apply'd towards the making a Capital Stock for a yearly Income out of the Monies to arise by Sale of the said Estates which lie in *Scotland*, and not otherwise, towards erecting and maintaining Schools in the Highlands of *Scotland*, according to such Methods, and in such Manner, as by any future A^t shall be directed; and all the other Monies arising by the said Sale, and Rents and Profits aforesaid, shall be apply'd towards the Discharge of the publick Debts of the Nation.

LXXVI. Sect. 33. The Claims on the Annuity or yearly Pension, which her late Majesty Queen *Anne*, by Letters Patent under the Great Seal of *Ireland*, dated the first of *August*. 1713, granted to *James* late Duke of *Ormond*, for the Term of fifteen Years, commencing from the 24th of *June* then last past, shall be heard and finally determined in the Manner and Form prescribed by this A^t for hearing and determining of Claims to the forfeited Estates; and after the final Determination of the said Claims to the said Annuity, such Estate or Interest, either in Law or Equity, as the said late Duke had, or was entitled unto at the Time of his Forfeiture, in or to the same yearly Pension, or an Overplus thereof, (the Right of the said Claimants being first satisfy'd) shall be for the sole Benefit of his Majesty, and shall not be sold or otherwise disposed of by the Commissioners.

LXXVII. *Seff.* 34. It shall be lawful for his Majesty to make such Grants as he shall think fit, for the Support and Maintenance of the Children of *William* late Lord *Widdrington*, during his Life, out of the Lands, &c. which were the Inheritance of his late Wife, *Jane* Lady *Widdrington* decess'd, Mother of the said Children, not exceeding 700 *l.* per Annum, and such Grants shall be good and valid in Law: Provided, That no such Grant shall prejudice any lawful Creditors as to any Debt affecting such Estate.

LXXVIII. *Seff.* 35. This Act shall not extend to prejudice or hinder any Grants which have been or shall be made by his Majesty, in Pursuance of the Powers in the said Act 1 G. c. 50. or any other Act already passed: But all such Grants shall be good and valid in Law.

LXXIX. *Seff.* 36. Nothing in this Act shall invalidate or infringe a Grant made by his Majesty, and passed under the Privy Seal of Scotland, bearing Date the 23d of August, 1716, whereby his Majesty grants to *Simon* Lord *Levat* the Single and Life-Rent Escheat, and Sum of 500 *l.* Penalty, forfeited by *Alexander Mackenzie* of *Frazerdale*, on Account of his not appearing before the Lords of the Justiciary, when summoned, pursuant to the Act 1 G. c. 20. For encouraging all Superiors, Vassals, Landlords and Tenants in Scotland, who do and shall continue in their Duty and Loyalty to his Majesty, King George, &c.

LXXX. *Seff.* 37. *Robert* *Scarisbrick*, late of *Scarisbrick* in the County of *Lancaster*, Esq; *John* *Ashton*, late of *Linthom*, and *John* *Gregson* late of *Ribbleton* in the same County, Gent. being, while they were beyond Sea, outlaw'd for High Treason in the County-Palatine of *Lancaster*, and having surrendr'd themselves within a Year after the said Outlawry pronounced, shall have such Benefit of the Statute 5 & 6 E. 6. c. 15. as they might have had if this Act had not been made.

LXXXI. *Seff.* 38. His Majesty may in such Way and Manner as to him shall seem meet, make such Grant of a Provision for, and Settlement upon *Amelia*, Lady *Levat*, Wife of *Alexander Mackenzie* late of *Frazerdale*, out of the Monies to arise of the forfeited Estates in Scotland, as he shall think fit, not exceeding 300 *l.* Sterling per Annum; which Grant shall be good and effectual for the said Lady, notwithstanding any Coverture of her said Husband, or any Clause in any Act to the Contrary.

LXXXII. *Seff.* 39. All Persons, who continued dutiful to his Majesty, and whose Houses or Goods were burnt by the Rebels in Scotland, or were burnt or destroy'd in *Preson*, in the County-Palatine of *Lancaster*, by the Rebels, or by his Majesty's Army, during the Action against the Rebels, shall, by the 24th of June, 1718, enter before the Commissioners their Claims for Repayment of their Losses sustain'd by such Burning or Waste as aforesaid, subscribed by the Claimant, before

two or more Witnesses, and expressing the Value of the Houses or Goods, burnt, lost or destroy'd, and the Times and Places when and where such Burning or Waste was committed: And the Commissioners are empower'd and required to receive all such Claims, and to cause the same to be enter'd, and by the Testimony of Witnesses on Oath to examine into the Truth thereof; and if sufficient Proof be made that the Sum claimed, or Part thereof, was actually lost as aforesaid, and that the Claimants are well affected to his Majesty, and his Government, they shall certify under their Hands and Seals into the Exchequers of England or Scotland respectively such Sums, or Parts thereof, as shall be proved to have been so lost and destroy'd, to be due to such Claimants; which shall be paid at the respective Exchequers without Fee or Reward, out of the first of the Nett Produce arising by the Rents, Profits, or Sale of the said Estates, after Payment of all just Debts affecting the same, and of the Salaries and other necessary Charges of the Commissioners for executing this and the said former Acts.

LXXXIII. *Señ. 40.* It shall be lawful for his Majesty to make what Provision he shall judge convenient to the Children of John Balfour, Henry Balfour, John Carstairs, Patrick Seaton, and Robert Rollo, out of their respective Estates; and every such Provision granted by his Majesty shall be good in Law; Provided, That no such Grant shall prejudice any lawful Creditor as to any Debts affecting the said Estates.

LXXXIV. *Señ. 41.* The Time for entering Claims, in the Manner by former Acts prescribed, shall be enlarged to the first of June, 1718.

LXXXV. *Señ. 42.* None of the before nominated Trustees shall be capable of acting in such Trust, before he shall take the Oaths appointed by the Act 1 G. c. 13. *For the further Security of his Majesty's Person and Government, &c.* and also one other Oath in the Form, or to the Effect following, viz.

I A. B. do swear, That I will faithfully and impartially, according to the best of my Skill and Knowledge, execute the Trust reposed in me by an Act of Parliament made in Great Britain in the fourth Year of his Majesty's Reign, Intituled, An Act for vesting the forfeited Estates in Great Britain and Ireland in Trustees, to be sold for the Use of the Publick; and for giving Relief to lawful Creditors, by determining the Claims; and for the more effectual bringing into the respective Exchequers the Rents and Profits of the said Estates, till sold: and likewise, according to the best of my Skill and Knowledge, faithfully and impartially execute all and every the Powers and Authorities in the said Act so far as they relate to me, as one of the Trustees therein named, without Favour or Affection, Prejudice or Malice; and that I will not, directly or indirectly, receive or take any Fee or Reward for any Thing whatsoever to be done

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in Execution of the said Act (except only what shall be granted or allowed me by the said Act, or by any other Act of Parliament of Great Britain;) and that I will not, in my own Name, or in the Name of any Person or Persons in Trust for me, purchase of or from the said Trustees, or any of them, any Lands, Tenements, or Hereditaments, or any Real or Personal Estate whatsoever, vested by the said Act in the said Trustees, for the Purpose therein expressed; and that I will not, directly or indirectly, have any Part, Share, or Interest, or make any Benefit by any Discovery of any forfeited Estate or Interest which shall be made in pursuance of this Act.

So help me God.

Which Oaths any two of the Trustees may administer to any other of the Trustees; and Memorials thereof shall be registered in the Books appointed to be kept for entering their Proceedings.

LXXXVI. Stat. 43. In all Cases where any Grant, Disposition, or other Provision, is or shall be made or given by his Majesty for the Benefit of any Children of forfeiting Persons, every such Child shall be educated in the Protestant Religion, and shall publicly profess and practise the same; and no such Grant, &c. shall subsist for any longer Time than such Children shall continue to be of the Protestant Religion; and on the Forfeiture or other Determination of every such Grant, &c. the Benefit thereof shall accrue to the Crown, for the Use of the Publick; and in every such Grant, &c. an express Condition shall be inserted for that Purpose.

LXXXVII. Stat. 5 G. 2. Stat. 1. Whereas by Reason of the great Number of Claims made on the forfeited Estates, very many of them will, on the 25th of March, 1719, [being the Time limited by the preceding Act for hearing them] be left unheard and undetermined: Therefore enacted, That the Time for hearing and determining of Claims on the forfeited Estates, and the several Powers given to the Commissioners and Trustees relating thereto, be enlarged and continued to the 24th of June, 1720, and from thence to the End of the next Session of Parliament: And it shall be lawful for his Majesty, by Commission under the Great Seal of Great Britain and Ireland respectively, to nominate, appoint and authorize any five of the Judges of England, Scotland, or Ireland, (the major Part whereof to be a Quorum) to be a Court of Record: And the Time given to the Courts of Delegates, to hear and determine in the Manner mentioned in the Act 4 G. 2. 8. is hereby enlarged to the 29th of September, 1720, and from thence to the End of three Months next after the End of the then next Session of Parliament.

LXXXVIII.

LXXXVIII. *Stat. 2.* The Time for Discovery of any concealed Debts, (by any other Person than the Debtor) and of other personal Estates, (otherwise than by such as have been or shall be in Possession thereof for the Use of any forfeiting Person) as also of any concealed Lands, &c. or Chattels real, forfeited as aforesaid, and of Lands, &c. given to superstitious Uses, (otherwise than by the Trustees for the same, or their Assignees) shall be enlarged to the 24th of June, 1720, and from thence to the End of the next Session of Parliament: And the Discoverers thereof respectively within the said Time, shall be entitled to all Benefits and Advantages mention'd in the Act 1 G. c. 50. *For appointing Commissioners to enquire of the Estates of certain Traitors, &c.*

LXXXIX. *Stat. 3.* The said Courts of Delegates shall appoint Registers, Clerks, Messengers, or other Officers necessary, in Order to the Determination of such Appeals; which Officers shall be sworn to execute their Trust, and shall take such like Oaths, and no other than the inferior Officers of the Commissioners are appointed to take by the said Act of 1 G. c. 50. And there shall be paid to such Persons as the Courts of Delegates shall nominate, by Way of Imprest and on Account, to pay the Salaries of such inferior Officers, and for incident Charges, necessary to the Determination of such Appeals, such Sums of Money as the Treasury shall judge reasonable in that Behalf; to be issued and paid at the Exchequer in *England, Scotland, or Ireland*, in such Manner as the Salaries for the inferior Officers of the Commissioners are by the Act 4 G. c. 8. directed to be.

XC. *Stat. 4.* It shall be lawful for the said several Courts of Delegates to send back to the said Commissioners such of the Claims as they shall think proper: And any four of the Commissioners shall proceed thereon according to the Directions of the Delegates: Saving to the Claimant the Benefit of Appeal, if he think fit, from any the subsequent Proceedings of the Commissioners.

XCI. *Stat. 5.* The Court of Delegates in *England* are to hear and determine all Appeals whatsoever relating to real or personal Estates in *Ireland*, on any Claims, which, on the Request or by the Submission of any Claimant, have been or shall be heard and determined by the Commissioners in *England*; and their Determinations in such Cases shall be binding and effectual to all Intents and Purposes.

XCII. *Stat. 6.* Any three or more of the Commissioners now residing in *England*, and who may reside in *Ireland*, shall be a Court of Record in that Kingdom; and are hereby vested with all Powers and Authorities for determining Claims in that Kingdom; and their Judgments, Determinations and Decrees shall be as binding and effectual, as the Judgments, &c. of any four

four or more of the Commissioners residing in *England or Scotland*.

XCH. *Sett.* 7. It shall be lawful for all Persons, Bodies Politick or Corporate, pretending to have any Right or Title to any Estate seised or survey'd by the Commissioners in *Scotland*, and who shall pretend that none of the Persons attainted since the 24th of *June*, 1716, and before the 24th of *June*, 1718, were possessed of, interested in, or entitled unto such Estate in their own Right, or to their own Use, nor any other Person in Trust for them, on the 24th of *June*, 1715, or at any Time since, or that they have Right or Title to such Estate as Superior or Vassal by Virtue of the Act 1 G. c. 20. to present by themselves or lawful Attornies, to the Court of Session in *Scotland*, their Exceptions against the Possession taken or to be taken, of any such Estate already survey'd by Order of the Commissioners, with the Evidences of their Right to the same, before the first of *August*, 1719; which Court of Sessions is required to proceed in a summary Way, and to hear and determine all such Exceptions before the first of *November*, 1719, and for that End to sit from the said first of *August* to the said first of *November* then next following, unless they shall have sooner passed Decrees on all such Exceptions.

XCIV. *Sett.* 8. Where it shall appear that any of the attainted Persons was possessed of or entitled unto such Estate in his own Right, or any other in Trust for him, at the Times aforesaid, or that the Right and Title of the Party excepting is such whereof a Claim might and ought to have been entered before the Commissioners by Verrue of the Act 1 G. c. 50. in such Case the said Court is discharged from determining thereon, and the same shall be heard and determined in the Manner directed by the said Act of 4 G. c. 8. unless the Party excepting be a Superior or Vassal claiming Right by Verrue of the Act of 1 G. c. 20. *For encouraging Superiors, Vassals, &c.* And all Decrees passed by the said Court of Sessions on the said Exceptions, and Rights on which they are founded, shall be of the same Force in all Respects, and may be reversed, affirmed or amended as other Decrees of the same Court; and the Commissioners shall provide for making proper Defences for supporting their Right and Possession for the Use of the Publick, and for reversing, affirming or amending such Decrees, as they shall see Cause; and if no such Exceptions are presented within the Time aforesaid, then all such Exceptions, and all Rights, Titles and Interests, in Law or Equiry, on which such Exceptions might be founded, shall be void and null, and for ever barred and excluded; and every such Decree of the Court of Sessions shall be final, and binding to all Parties, in case thirty Days, on any of which such Proceedings as are usual and competent by the Laws of *Scotland* for reversing or amending such De-

crees, shall elapse without such Proceedings commenced by either Party.

XCv. Stat. 9. No Advocacion, Suspension, or other Stop of Process or Execution, which may be used by the Commissioners, their Stewards and Factors, for Recovery of the Rents and Profits of the said Estates, shall be granted by the Court of Session, at the Suit or Petition of any Person; and no Summons, Process, Execution or Distress, shall be issued by the said Court, or any other Court in *Scotland*, for levying of arising Rents and Profits from the said Estates, at the Instance or Suit of any Person other than the said Commissioners, their Stewards or Factors, till the said Exceptions shall be enter'd.

XCvi. Stat. 10. The said Superiors and Vassals shall be obliged to pay a proportionable Share of the just and lawful Debts of the said attainted Persons, answerable to such Estates as shall be found to belong to them by Virtue of the Act 1 G. c. 20. for encouraging Superiors, Vassals, Creditors, and others, and all such Debts and Incumbrances as affect such Estates only.

XCvii. Stat. 11. All Claims which have been presented or enter'd at the Offices of the Commissioners within the Times by former Acts appointed, and which are recorded in Books by their Order, as well such as are sign'd by Attorneys or Factors for the Parties having the Interest claimed, as by the Parties themselves, shall be heard and determined according to the Justice and Validity of the Rights and Evidences on which such Claims are founded.

XCviii. Stat. 12. All Offices of Keepers of his Majesty's Houses, Palaces or Castles in *Scotland*, whereof any attainted Person was seised and in Possession on the 24th of *June*, 1715, and all Rights, Fees, Lands, Profits and Casualties thereto belonging, shall be at his Majesty's Disposal; and all Rights of Patronage of Churches, Universities, Colleges or Schools, which did belong to any Person attainted, as aforesaid, and at the Time above-mentioned, shall belong to his Majesty, his Heirs and Successors.

XCix. Stat. 5 G. c. 23. Stat. 1. Enacted, That all the forfeited Estates, and Estates given to superstitious Uses, in so far as they were by the Act of 4 G. c. 8. vested in *George Treby* Esq; his Heirs, &c. and which have not been, nor shall not be, before the 25th of *March*, 1719, sold or disposed of, together with all the Powers and Trusts vested in the said *George Treby* Esq; and all Right to the Salary of 1000*l.* per Annum, which he is intitled to receive for his Labour and Service in Execution of the said Trusts, shall be transferred from the said *George Treby* Esq; his Heirs, &c. and vested in *Charles Long* Esq; his Heirs, &c. from the 25th of *March*, 1719, as fully and effectually in all Respects, as if every particular Clause of the Acts of 1 G. c. 50. and 4 G. c. 8. had been herein at length recited,

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recited, and the Name of the said *Charles Long Esq;* had been put instead of the Name of *George Treby Esqr.*

C. *Stat.* 2. The said *Charles Long Esq;* shall, before he enter on the Execution of the said Office of Commissioner and Trustee for enquiring of and selling the said Estates, take and subscribe the several Oaths by the said Acts required to be taken by the Commissioners and Trustees therein named, before two or more of the said Commissioners, which Oaths they are impower'd to administer.

CL. *Stat.* 3. Each of the said Commissioners and Trustees shall attend the several Offices in *England* and *Scotland*, as they have been or shall be appointed by any Distribution they have made or shall make among themselves; and in Case of Dispute, according to such Distribution as shall be made by his Majesty, by Warrant under his Sign Manual, unless such Commissioner be appointed to travel into some Part of his Majesty's Dominions where the forfeited Estates lie, for the better Discovery thereof: And if any of the Commissioners shall absent himself from his Attendance for three Weeks, without the Order or Consent of four or more of such of the said Commissioners as shall be appointed to give Attendance at the same Office with him, signified and attested under their Hands and Seals, he shall forfeit the Sum of 500 *l.* to be stopped by the Treasury out of such Salary as shall be due or growing due to such Commissioner at or after the Time of such Absence, on Certificate of any four or more of the said Commissioners.

Trees.

I. *Stat.* 1 G. c. 48. If any Person shall, after the 24th of *June*, 1716, maliciously break down, cut up, pluck up, throw down, bark, or otherwise destroy, deface, or spoil any Timber-Tree, Fruit-Tree, or other Tree, the Person, Body Politick or Corporate, damaged by the same, shall receive such Satisfaction from the Inhabitants of the Parish, &c. where such Trees shall be so broken down, &c. and to be viewed, and Damages and Costs to be recover'd against such Parish, &c. by the Persons whose Trees shall be so maliciously broken down, &c. in the same Manner as Hedges and Dikes overthrown by Persons in the Night, by the Act 13 E. 1. intituled, *Lords may approve against their Neighbours: Usurpations of Commons during the Estate of particular Tenants*, are to be levied, and Damages yielded; and where such Offence shall be committed in *Scotland*, to be recover'd by Way of summar Action, and in the same Manner as Damages in other Cases of Riot are to be recover'd by the Laws there; unless the Parry offending shall, by such Parish, &c. be convicted of such Offence within six Months.

II. *Stat. 2.* Any two Justices of the County, &c. where such Offence shall be committed, or the Justices in open Sessions, on Complaint to them by any Inhabitant of such Parish, &c. or of the Owner of the Trees, or of any other, may cause such Offender to be apprehended, and hear and finally determine every the Offences aforesaid; and on Conviction of such Offender shall commit him to the House of Correction, there to be kept to hard Labour for three Months without Bail or Mainprize; and where there are no Houses of Correction in any County, &c. where such Offender shall be convicted, the Justices shall commit him to such Prison as is appointed for other Criminals, there to continue four Months; and shall also order that such Offender be publicly whipped by the Master of such House of Correction, once every Month during such three Months, in such Borough or Corporation, if the Offence be committed therein; or in the Market-Town where such House of Correction stands, or in the next Market-Town to such House of Correction, and in the County where the Offence shall be committed, on the Market-Day, between the Hours of eleven and two; and in such Places where there is no House of Correction, the Justices shall order such Offender to be publicly whipped by the Hand of the Common Hangman, once every Month, during such four Months, on the Market-Day of any Borough or Corporation where such Offender shall be committed, or on the Market-Day of some Town, between the Hours aforesaid.

III. *Stat. 3.* Before such Offender shall be discharged, he shall find sufficient Sureties for his Good Behaviour for two Years.

IV. *Stat. 4.* If any Person shall, after the 24th of June, 1716, maliciously set on Fire, burn or cause to be burnt, any Wood, Underwood, or Coppice, or any Part thereof, such malicious setting on Fire, is hereby made Felony, and the Offender shall suffer as a Felon: And where such Offences are committed in Scotland, the Offenders shall suffer as wilful Fire-Raisers, according to the Act 7 A. c. 21. *for improving the Union of the two Kingdoms.*

Wales. See King, Par. XI.

Wool. See Drapery.

I. *Stat. 3 G. c. 21. Stat. 4.* After the 29th of September, 1717, the Moiety of all the Penalties and Forfeitures, which
by

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by the Act 10 & 11 W. 3. c. 10. were inflicted for preventing the Exportation of Wool, and other woollen Goods therein mentioned out of *Ireland*, other than into *England* or *Wales*, (after a Deduction made out of the said Moiety of the Charges of Prosecution and Condemnation) shall be to the Use of his Majesty, his Heirs and Successors.

II. *Stat. 3.* After the said 29th of September, 1717, all Actions and Informations, which shall be commenced or prosecuted by Virtue of any Act for preventing the Exportation of Wool or Woollen Manufactures from *Ireland*, shall be tried in any of the four Courts at *Dublin*, by a Jury of Freeholders to be summoned out of any other County than that wherein the Fact was committed: And to encourage Persons to discover the said Crime, the first three who have been aiding, abetting or assisting in carrying out or exporting of Wool or Woollen Commodities, who shall inform any Justice of Peace thereof, whereby the Punishment and Penalties appointed by this Act may be inflicted and recover'd, such Discoverer (not being the Owner or Part-Owner thereof) shall not suffer any of the said Penalties and Punishments to be inflicted by this or any other Act. *Vide sit. Felons, Par. VI.*

Wreck. Vide Ships.

Writs of Error.

I. *Stat. 5 G. 2. 13. Sect. 1.* Enacted, That all Writs of Error, wherein there shall be any Variance from the Original Record, or other Defect, shall be amended and made agreeable to such Record, by the Courts where such Writs of Error shall be made returnable: And where any Verdict hath been or shall be given in any Action, &c. in any Court at *Westminster*, or other Court of Record in *England* or *Wales*, the Judgment thereon shall not be staid or reversed for any Defect or Fault, either in Form or Substance, in any Bill, Writ, original or judicial, or for any Variance in such Writs from the Declaration or other Proceedings.

II. *Sect. 2.* Provided, That nothing in this Act shall extend to any Appeal of Felony or Murder, or to any Process on any Indictment, Presentment, or Information, of or for any Offence or Misdemeanor whatsoever.

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